

ATTACHMENT 3

DECLARATION OF ISAAC D. CHAPUT AND EXHIBITS

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

Andrew Bridge, et al.,

Plaintiffs,

v.

Oklahoma State Department of
Education, et al.,

Defendants.

Case No.: CIV-22-787-JD

**DECLARATION OF ISAAC D. CHAPUT IN SUPPORT OF PLAINTIFFS’
REPLY IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

I, Isaac D. Chaput, hereby declare and state as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney at Covington & Burling LLP, attorneys of record for Plaintiffs. I am admitted in the State of California and the State of New York and have been admitted *pro hac vice* in this matter. I submit this declaration in support of Plaintiffs’ Reply in Support of Motion for Preliminary Injunction. I have personal knowledge of all facts stated in this declaration, and if called upon as a witness, I could and would competently testify thereto.

2. Attached as **Exhibit A** is a true and correct copy of the September 16, 2016, Expert Declaration of Michael H. Miner, Ph.D. submitted in support of the United States’ motion for preliminary injunction in *United States v. North Carolina*, No. 16-cv-425 (M.D.N.C.), ECF No. 177-4.

3. Attached as **Exhibit B** is a true and correct copy of the September 16, 2016, Expert Declaration and Report of Chris Magnus submitted in support of the United States' motion for preliminary injunction in *United States v. North Carolina*, No. 16-cv-425 (M.D.N.C.), ECF No. 177-5.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of December, 2022 at Washington, District of Columbia.

/s/ Isaac D. Chaput
Isaac D. Chaput

EXHIBIT A

EXHIBIT 4

Michael Miner Declaration

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Case No. 1:16-cv-425

STATE OF NORTH CAROLINA;)

PATRICK MCCRORY, in his official)
capacity as Governor of North Carolina;)

NORTH CAROLINA DEPARTMENT)
OF PUBLIC SAFETY; UNIVERSITY)
OF NORTH CAROLINA; and BOARD)
OF GOVERNORS OF THE)
UNIVERSITY OF NORTH CAROLINA,)

Defendants,)

STATE OF NORTH CAROLINA;)

PATRICK MCCRORY, in his official)
capacity as Governor of North Carolina;)

NORTH CAROLINA DEPARTMENT)
OF PUBLIC SAFETY,)

Counterclaim Plaintiffs,)

v.)

UNITED STATES OF AMERICA,)

Counterclaim Defendant.)

EXPERT DECLARATION OF MICHAEL H. MINER, Ph.D.

I. ASSIGNMENT AND SUMMARY

1. My name is Michael H. Miner. I have been retained by counsel for the United States as an expert in connection with the above-captioned litigation. I have actual knowledge of the matters stated in this declaration.
2. I have been asked by counsel for the United States to review and assess the expert declarations of Kenneth Lanning and Tim Hutchison, expert witnesses for the Defendants. In particular, I was asked by counsel to rely on my experience as a psychologist specializing in sexual offenders and the measurement of criminal behavior, to assess statements and assumptions offered by Mr. Lanning and Mr. Hutchison that suggest that there is a public safety risk posed by “changing social norms” and/or policies that permit individuals to use restrooms and changing facilities that are consistent with their gender identity.
3. My opinions stem primarily from my assessment of Mr. Lanning and Mr. Hutchison’s opinions as to the public safety risks created by allowing individuals to access restrooms and changing facilities consistent with their gender identity, and the purported harms that North Carolina’s Public Facilities Privacy and Security Act (“H.B. 2”) attempts to address. To this end, I have conducted an evaluation of the reliability of the assumptions and methods from which Mr. Lanning and Mr. Hutchison’s opinions are

derived. My evaluation and opinions are the result of the application of sound psychology and scientific principles to the facts and assumptions relied upon by these two defense experts.

4. I am being compensated at a rate of \$400 per hour for my work in this case and my compensation does not depend in any way on the outcome of this case. I will be compensated at the same rate if I am asked to testify at deposition or trial.

II. QUALIFICATIONS

5. I am currently employed by the University of Minnesota, Department of Family Medicine and Community Health, as a professor and research director of the Program in Human Sexuality (PHS). My *curriculum vitae* (CV), which contains a list of my publications and professional experience, is attached as Exhibit 1 to this declaration.
6. PHS's research agenda focuses upon HIV prevention, sexual aggression and compulsive sexual behavior, transgender health, and women's sexual health. This research has been supported by millions of dollars in state and federal funding, and has developed innovative and effective treatment approaches to compulsive sexual behavior, sexual dysfunctions, and sexual abuse and aggression. PHS has been a leader both nationally and internationally in crucial, often controversial, issues of sexual health, transgender health, child sexual abuse, and sexual aggression. PHS works

with local, national, and international health and criminal justice agencies to advance public health policies promoting sexual health.

7. I am a licensed psychologist in both Minnesota and California. Among other medical staff affiliations over my career, for the past nineteen years I have been an active member of the Psychology Staff at the University of Minnesota Medical Center-Fairview in Minneapolis.
8. I also currently serve as President of the Association for the Treatment of Sexual Abusers (ATSA), an international organization dedicated to preventing sexual abuse. ATSA promotes research, evidence-based practice, public policy, and community strategies that lead to the effective assessment, treatment, and management of individuals who have sexually abused or are at risk to abuse. I am also a charter member and past vice president of the International Association for Treatment of Sex Offenders. Additionally, I have been a member of the American Psychological Association since 1980, and have served on its Interdivisional Task Force on Child Maltreatment Prevention. The remainder of my professional affiliations are documented in my CV. The statements made below are my own, and are not made on behalf of ATSA, the International Association for Treatment of Sex Offenders, or any other organization.
9. I am currently the principal investigator for a five-year, \$1.49 million grant from the National Institute of Justice, "Evaluation of the

Implementation of the Sex Offender Treatment Intervention and Progress Scale.” I have served as principal investigator for nine additional state and federal grants, many of which addressed sex offending issues.

10. I have published extensively on the characteristics of juvenile sexual offenders, sex offender treatment, and measurement of criminal behavior and developed measures of compulsive sexual behavior and coping skills.
11. In particular, I am an author of more than 70 peer-reviewed publications, including “The Adam Walsh Act: An Examination of Sex Offender Risk Classification Systems,” which was published in *Sexual Abuse: A Journal of Research and Treatment* in February 2015.
12. I am also an editor or co-editor of three books regarding sex offender treatment. In addition, I have contributed chapters regarding sex offenders and sex offending to 10 additional books.
13. Furthermore, I am the author or co-author of 15 reports, including “A multi-site state recidivism study using Static-99R and Static-2002 risk scores and tier guidelines from the Adam Walsh Act,” which was funded by the National Institute of Justice and completed in 2012.
14. I currently serve on the Board of Editors of the “Archives of Sexual Behavior” and the “International Journal of Sexual Health.” I was an Associate Editor of “Sexual Abuse: A Journal of Research and Treatment” until 2015 when I resigned before beginning my term as President-Elect of

ATSA. Additionally, I have previously served on the board of editors of the “Journal of Child Sexual Abuse” and “Cognitive and Behavioral Practice.”

15. I have made dozens of presentations at professional conferences and meetings in the areas of sexual abuse prevention, and the treatment and management of sexual offenders.

III. SUMMARY OF OPINIONS

16. Defendants’ experts Mr. Lanning and Mr. Hutchison claim that if transgender women are able to use public, multiple occupancy facilities designated for women, there would be an increase in sexual crimes by non-transgender perpetrators. That opinion offered by both Lanning and Hutchison is flawed because it relies on:
 - (i) speculation rather than empirical evidence,
 - (ii) judgments purportedly based on Mr. Lanning and Mr. Hutchison’s professional experiences, with little seeming connection between the experiences they describe and the conclusions they draw, and without a recognition that such judgments have been shown to be affected by cognitive and motivational biases,
 - (iii) and media reports of men engaging in voyeuristic behavior in retail store dressing rooms.
17. These approaches—either separately or when used together—are not

scientifically valid and the conclusions drawn are flawed due to systematic biases that have been long identified in the psychological and sociological literature.

18. In the United States, there is a tendency in the media, general public, and amongst mental health and law enforcement professionals to overestimate the incidence and prevalence of sexual crimes. In addition, the public safety concern identified by both Mr. Lanning and Mr. Hutchison focuses on crimes perpetrated by strangers in public places (i.e., public restrooms or changing facilities), while the data indicates that the vast majority of sexual crimes are committed by individuals known to the victim and that they take place in residential and other private environments. This focus on “stranger danger” can lead the public to a false sense of security.
19. The opinions expressed by the Defendants’ experts assume associations between factors that are not present in any empirical research. These include the assumption that allowing transgender individuals to use the restrooms and changing rooms consistent with their gender identity will lead to increased sexual offending, despite data indicating that during the same period of time when society has become more accepting of gender and sexual minorities, the incidence and prevalence of sexual crimes has been decreasing. Additionally, 17 States and about 200 municipalities have laws or ordinances that are similar to that passed by the City of

Charlotte and there have been no indications of an increase in sexual crimes. Their opinions also assume that since some men may arrange meetings with other men for sex in public restrooms this will translate into some men doing similar activities in public facilities that are reserved for females.

20. There is no reason to believe that the passing of HB2 will have any impact on public safety or that it will protect the privacy interests of women and children. There is a basis for concluding that HB2 will have a negative and likely traumatic effect on transgender individuals.

21. In expressing these opinions, I make the following reservations:

The opinions I express in this report are based on my review of available documents and various analyses I have performed. I respectfully reserve the right to express additional opinions, supplement or amend the opinions in this report, or provide additional reasons for these opinions, as additional documents are produced, the transcripts of expert and fact depositions become available for my review, and new facts are introduced during discovery and trial.

IV. OPINIONS

Defendants' Experts Overstate The Prevalence Of Stranger Sex Offenses To Buttress Their Claims Of Danger Related To Public Restrooms

22. I started my career studying the effects of sex offender treatment in 1986

as the experimental psychologist for California's Sex Offender Treatment and Evaluation Project. I then moved to the Program in Human Sexuality at the University of Minnesota, where I have been involved as a therapist doing sex offender treatment since 1992, directed the outpatient adult sex offender treatment program for 10 years, and have conducted research in the causes of sexual abuse perpetration in adolescent males, the predictive accuracy of the offense-based tiering system required by the Adam Walsh Act, and use of randomized responding for measuring sexual offending behavior. I have also provided statistical and methodological expertise as a co-investigator on two National Institute of Health-funded studies related to transgender individuals.

23. HB2, and the opinions expressed by the Defendants' experts, Kenneth Lanning and Tim Hutchison, are examples of how moral panic can guide policy decisions.¹ Moral panics are societal concerns about problems that are disproportionate to the empirical evidence regarding their prevalence and/or impact. This concern is characterized by demonizing those exhibiting the behavior that has been deemed as objectionable and a threat to the health and well-being of the community.²

¹ Velázquez, T. (2008). *The pursuit of safety: Sex offender policy in the United States*. New York: Vera Institute of Justice.

² Goode, E. & Ben-Yehuda, N. (1994). Moral panics: Culture, politics, and social construction. *Annual review of Sociology*, 20, 149-171.

24. These characteristics of a moral panic are exemplified by the statement of Senator E.S. (Buck) Newton on the floor of the North Carolina Senate during the debate on HB2. Specifically, Senator Newton asserted that an ordinance passed by the City of Charlotte, which would have allowed individuals to use public restrooms and similar facilities consistent with their gender identity, presented a “real safety risk with the citizens of this state” because it would allow men to access women’s locker rooms, as had been reported in the media.³ Senate Floor Session, NCGA HB 2 at 14-15 (March 23, 2016). Yet, there is no evidence that the Charlotte ordinance or any other policy that would allow transgender individuals to use public facilities that correspond to their gender identity would create such risk or lead to such access by men. It is clear, however, that—though not supported by any data, empirical evidence, or scientific research—these are the core assumptions that underlie the assertions made by both Mr. Lanning and Mr. Hutchison in their respective declarations. In addition to the above, in moral panics, the reactions of society’s guardians (*e.g.*, Legislators, law enforcement, the media, *etc.*) reach beyond the immediate problem, and link it to associated problems and wider implications.⁴ Thus, there is often damage to individuals unrelated to the target group, in this

³ It is unclear whether Senator Newton was referring to transgender women or non-transgender men in his statement.

⁴ Garland, D. (2008). On the concept of moral panic. *Crime Media Culture*, 4, 9-30.

case transgender individuals. In the remainder of this report, I will discuss those factors that have been put forth as indicating that allowing transgender individuals to use the changing rooms, locker rooms, and bathrooms that correspond to their gender identity poses a public safety threat or risk to society.

The Vast Majority of Sexual Offenses are Committed by Perpetrators Known to the Victim and in Private Homes Rather than Public Places

25. There is a significant amount of data –most of it collected by the U.S. Department of Justice’s Bureau of Justice Statistics (BJS) that provides tremendous insight into the nature of sexual crimes and sexual offenders within this country.
26. It is well established that sexual offenses are generally committed by individuals who are known to the victim. Data from the BJS indicates that in more than 75% of all episodes of sexual violence the perpetrator was a friend, family member, intimate partner or acquaintance of the victim. These data has been stable from 1994 through the present.⁵
27. This trend is even more prevalent in incidents of sexual violence where the victim is a child. In such situations, more than 90% of the offenses involve someone known to the victim and/or the victim’s family.

⁵ Planty, M., Langton, L., Krebs, C., Berzofsky, M., & Smiley-McDonald, H. (2016). *Female victims of sexual violence, 1994-2010*. Washington, D.C.: Bureau of Justice Statistics.

Additionally, data from BJS shows that the vast majority of all child sexual abuse incidents take place in either the child's or the perpetrator's home.⁶

28. While studies have shown that it is common for those identified for more serious sexual offenses, such as rape or child molestation, to have a history of exhibitionism and voyeurism, longitudinal studies indicate that five to 10% of exhibitionists will go on to commit more serious sexual crimes.⁷ Thus, the concern expressed in Mr. Lanning's and Mr. Hutchison's reports that failure to detect these nuisance offenses will lead to increased levels of more serious sexual crimes (e.g., sexual assaults, rapes, and child molestation) is not supported by the data, although as discussed in greater detail below, the retrospective information on which Mr. Lanning and Mr. Hutchison based their conclusions would lead one to the erroneous conclusion that such progression is much more common.

The Opinion that HB2 Protects Public Safety and Privacy Interests has No Factual Basis

29. Much of the public concern about sexual offenders is disproportionate to the risk they actually pose. In order to determine the degree to which

⁶ Snyder, H.N., (2000). *Sexual assault of young children as reported to law enforcement: Victim, incident, and offender characteristics*. Washington, D.C.: Bureau of Justice Statistics.

⁷ McNally, & Fremouw (2014). Examining risk of escalation: A critical review of the exhibitionistic behavior literature. *Aggression and Violent Behavior*, 19, 474-485.

allowing transgender individuals to use bathrooms, changing rooms, and other such facilities consistent with their gender identities may result in increased risk of sex offenses in those facilities one must look beyond subjective assumptions, anecdotal accounts, or personal prejudices. That is, the concern about sex offenders using the potential access to female-only changing rooms and bathrooms is related to whether this is actually a change in access and the size of the population of individuals who might be motivated to take advantage of such access to commit criminal offenses. Both of these are empirical questions that have yet to be evaluated despite the fact that 17 States and approximately 200 municipalities have laws or ordinances that prohibit discrimination on the basis of gender identity.

30. If there were any indication that the existence of such laws or ordinances resulted in an increase in sex offenses in bathrooms or locker rooms, I would expect researchers in the criminal justice field to have undertaken an examination of crime data from such jurisdictions to test that hypothesis. Yet, I am aware of no such study, nor any expression of the need for such a study. Nor have I seen any evidence that North Carolina is uniquely situated such that one would expect to experience a different outcome following the passage of an anti-discrimination ordinance in one of its cities from that experienced in other jurisdictions. Thus, the

conclusions offered by Mr. Lanning and Mr. Hutchison are not based on or supported by any empirical data, although they certainly could have performed a series of statistical analyses to test their assumptions.

31. Both voyeurism (12% of males) and exhibitionism (4% of males) are rather infrequent.⁸ Given that paraphilias related to urine and feces (which Mr. Lanning discusses) are not listed in the DSM-5, one can assume they have an even smaller prevalence than exhibitionism or voyeurism. Thus, the chances that someone would falsely claim to be transgender in order to enter a female only changing room or bathroom to satisfy these particular paraphilias is rather remote, because there aren't that many individuals who are sexually aroused by the behaviors of concern
32. H.B. 2 is likely to be even less effective in protecting the public from more serious sexual aggression, since, as stated above, the vast majority of sexual assaults, rapes, and child sexual abuse is perpetrated, not by strangers who lurk in public places but by individuals known to the victim who access their victim in private places.

The Assumptions By Defendants' Experts That Allowing Individuals To Access Facilities Based Upon Gender Identity Leads To Increased Crime Is Unsupported By Any Empirical Data

33. Understanding whether a change in a law or policy has either the intended

⁸ American Psychiatric Association (2013). *Diagnostic and statistical manual of mental disorders, 5th Edition*. Arlington, VA: Author.

impact or other unintended impacts is an empirical question that is difficult to ascertain solely by relying upon professional judgment and/or the results of media accounts. To be clear, I am not suggesting that possessing professional judgment is not a valuable or desirable attribute. However, both professional judgment and media accounts are subject to potential biases that can lead to false assumptions about the association between the change in law or policy and the behavior of concern, and in the case of sexual offending, subject to the false assumption that such behavior is of high frequency and is likely to be perpetrated by strangers in public places.

34. In order to determine whether policies allowing transgender individuals to use the bathrooms and changing rooms consistent with their gender identity result in more sexual crimes being committed in such environments by non-transgender offenders, one must know the incidence of such behavior prior to the implementation of this change and the incidence after implementation of this change. Further, experimental validity, both in terms of the internal validity of the study or method—ability to rule out alternative explanations to a measured outcome other than the one of interest—and the external validity—the ability to generalize beyond the specific situation, environment, and sample used in the study or method—has to be maximized in order to confidently assume

that an outcome, *e.g.*, men taking pictures of women nude in changing rooms, is caused by the factor of interest, in this case, laws and/or policies that allow transgender individuals to use restrooms and changing rooms consistent with their gender identity.⁹

35. Research to advance the understanding of laws and policies can be empirically evaluated using rigorous experimental and quasi-experimental designs. A common method is a regression discontinuity model. That is certain behaviors of interest can be tracked over time. The regression discontinuity method investigates the slope of the regression line associated with specific behaviors before implementation of the policy and statistically evaluates whether this slope changes after implementation of the policy. An example is that the State's experts have identified incidents in Target stores where men put cameras in women's changing rooms after Target's public announcement of their policy toward transgender individuals using bathrooms and changing rooms. However, there is no indication of whether such behavior also took place before Target's announcement, or whether similar behavior has been found in changing rooms in Walmart, which serves the same clientele but has no announced policy about who can use what changing rooms. Thus, one can make no causal assumption about the public safety or privacy effects of the policy

⁹ Cook, T.D. & Campbell, D.T. (1979). *Quasi-experimentation: Design and analysis issues in field settings*. Boston, MA: Houghton Mifflin.

implemented by Target from the information presented by the Defendants' experts.

Predicting Risk Using Professional Judgment

36. In lieu of relying upon empirical data, such as crime data from jurisdictions with existing gender identity protections, both Mr. Lanning and Mr. Hutchison state in their declarations that their opinions and conclusions are based on their professional judgment, gained through many years of working in law enforcement. Lanning Declaration p. 12 (explaining that he is “someone with over forty years of experience investigating, consulting about, studying, and teaching about sex crimes and sex offenders”); Hutchison Declaration p. 6 (noting that this opinion is “based upon the 17 years I spent as the Chief Law Enforcement Officer in Knox County, Tennessee . . . my 33 total years of experience as a Certified Policeman . . . [and the fact that] I have personally been on the scene of sexual assaults and have personally arrested and helped prosecute male sex offenders”).
37. Psychological research, starting with Paul Meehl’s groundbreaking work in 1954¹⁰ indicates that professional judgement about risk, especially in situations such as this, tends to be flawed, due to certain common

¹⁰ Meehl, P.E. (1954). *Clinical versus statistical prediction*. Minneapolis, MN: University of Minnesota Press.

cognitive and motivational biases. Cognitive biases refer to systematic discrepancies between the “correct” answer in a judgmental task, given by a formal normative rule and the expert’s actual answer, while motivational biases are judgments influenced by the desirability or undesirability of events, consequences, outcomes or choices.¹¹ Nothing in this report is intended to assert that professional experience is unrelated and inappropriate in expert testimony. In fact, experience allows the expert to ascertain appropriate information and combine it using appropriate methods.

38. However, when relying upon professional judgment it is important to recognize its limitations, and to be careful in trying to apply experiences from one set of circumstances to another. For instance, Mr. Lanning concludes that because in his professional experience he encountered men engaging in sexual offenses directed at boys in men’s locker rooms, he would expect that gender identity protections will lead to those same offenses being perpetrated in women’s locker rooms, presumably by those same offenders. See Lanning Declaration at paragraphs 32-33. This is not a valid use of professional judgment or experience to draw policy conclusions, because there is no connection, either empirical or theoretical, between the two different sets of behavior. Nor does Mr.

¹¹ Montibiller, G., & von Winterfeldt, D. (2015). Cognitive and motivational biases in decision and risk analysis. *Risk Analysis*, 35, 1230-1251.

Lanning offer any experience based explanation for his assumption that individuals whom he describes as “compulsive,” “need driven,” and “high-risk” (Lanning Decl. at paragraph 25), will be deterred by H.B. 2 from committing these crimes in women’s locker rooms (while presumably, still carrying them out in men’s locker rooms).

39. Mr. Lanning also asserts that social norms or ordinances that allow transgender individuals to use single-gender restrooms or changing rooms consistent with their gender identity would open the door for adolescent boys to go into such facilities to spy on girls who are changing or engage in similar behavior. Lanning Declaration at paragraph 35. It appears that Mr. Lanning, in reaching his conclusion, relies on popular media (*e.g.*, movies like *Animal House*) where such behavior is glamorized; Mr. Lanning states that “[t]his is fiction based on reality.” *Ibid.* at paragraph 36. He, however, provides no data or experience to support this assertion. While it is no doubt true that there are incidents where such conduct has occurred, there is no data or evidence to suggest that such behavior is commonplace. Once again, while purporting to rely on his experience, Mr. Lanning offers no empirical, theoretical, or logical basis to link policies governing access to restrooms or changing rooms with any proclivity to engage in such behavior. Instead, Mr. Lanning simply asks one to assume that because of his experience consulting on criminal cases,

he can draw connections that do not appear to actually exist. Once again, while professional judgment can be a useful tool, the conclusions one draws can reflect cognitive and motivational biases, when improperly applied.

40. Moreover, in the absence of empirical data, assumptions, based on one's experience as an investigator of crimes can be influenced by an insensitivity to sample size. That is, two factors are at play, as an investigator of crimes, daily contact with criminals and criminal behavior can lead to the assumption that such behavior is more frequent than it actually is, since such behavior is encountered multiple times per day, every day. Second, even if restrooms in public places are statistically more likely to be higher crime areas than other places – although neither Mr. Lanning nor Mr. Hutchison have cited research to support this contention – there is no data to support the assumption that sexual crimes, including so called “nuisance” sexual crimes, are more likely to take place in and around public restrooms.
41. Mr. Lanning further asserts that adolescent males who were interested in improperly gaining access to facilities restricted to females would claim that they “feel like a woman.” Lanning Declaration at paragraph 37. Such a claim is not without consequences. Transgender individuals face stigma, rejection, and discrimination, this is especially true for transgender

youth.¹² Thus, claiming to “feel like a girl” is likely to have major social consequences for an adolescent boy and would most likely not be an attractive option if caught in a girls’ restroom or locker room.

Assuming changes in behavior due to media reports

42. Mr. Lanning and Mr. Hutchison both rely on a number of media reports about incidents involving various sexual offenses that have occurred in a range of States and a variety of settings. Lanning Declaration, Exhibits A, C; Hutchison Declaration, Exhibits B, C.
43. It appears that most of the incidents/media reports relied upon by Mr. Lanning and Mr. Hutchison cannot be attributed to a policy regarding transgender individuals’ access to restrooms or changing facilities. Mr. Lanning, in Exhibit C, lists a number of incidents of various sexual offenses that have occurred in a range of states and a variety of settings. In fact, a reading of these incidents seems to indicate that there is no association between how access to single-gender facilities are managed and whether or not sexual crimes will be committed.
44. Moreover, media reports are unlikely to be good indicators of the frequency of an event since such reports can lead to the false impressions; this is especially the case after any significant or controversial change in

¹² Institute of Medicine (2011) *The Health of Lesbian, Gay, Bisexual and Transgender Individuals: Building a Foundation for Better Understanding*. Washington, DC: Author

an underlying policy or practice.

45. For example, in a study reported at the Annual Conference of the Association for the Treatment of Sexual Abusers, the authors tracked the number of newspaper articles that focused on sexual crimes from 1990 to 1998 in newspapers throughout the State of Illinois. They found that the number of articles reporting sexual crimes in Illinois went from 300 articles in 1990 to 700 articles in 1998. The presenter showed that official statistics for the frequency of sexual crimes in Illinois, during the same time period, remained stable.¹³

Conclusions

46. Defendants' experts offer no support for the concern that allowing individuals access to gender-specific restrooms and changing rooms in line with their gender identity would substantially reduce public safety. The assumption that sexual offenders would access female specific facilities at an increased rate in order to expose, voyeur, or indulge some other paraphilic interest is based on fear, exaggeration, and bias, rather than any objective, empirical information. The objective data indicate that sexual crimes are more likely to be committed by individuals known to the

¹³ Anderson, A.L. Understanding the passage and use of sex offender Laws: Assumptions vs. reality. Presentation at the 27th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, October 22-25, 2008, Atlanta, GA.

victim, rather than strangers and that child sexual abuse is more likely to occur in a residence than a public place.

47. The argument that non-discrimination laws open the door to sexual exploitation has never been shown through empirical research. Ordinances similar to the one passed by the City of Charlotte exist in 17 States and about 200 municipalities, and yet, there are no data that indicate that these jurisdictions have experienced an increase in sexual crimes.
48. Mr. Lanning and Mr. Hutchison purport to base their conclusions upon professional judgment and experience. While professional judgment can be useful when applied appropriately, it is subject to cognitive and motivational biases. Moreover, here, there seems to be no reliable connection between the experiences described by Defendants' experts and the conclusions they draw about the perilous effects of non-discrimination ordinances. In my experience doing sex offender treatment and assessments, in addition to the extant literature and empirical data, the scenarios put forth by the Defendants' experts are low frequency and will not be affected by non-discrimination laws.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: September 16, 2016


Michael H. Miner, Ph.D.

EXHIBIT 1

Michael Miner CV

May 10, 2016

CURRICULUM VITAE FOR PROMOTION AND TENURE**Michael H. Miner****PROFESSIONAL ADDRESS**

Program in Human Sexuality
 Department of Family Medicine and Community Health
 University of Minnesota Medical School
 1300 South Second Street, Suite 180
 Minneapolis, MN 55454
 Telephone Number: 612-625-1500
 Fax Number: 612-626-8311
 E-mail Address: miner001@umn.edu

IDENTIFYING INFORMATION**Education**

Degree	Institution	Date Degree Granted
B.A.	Ohio University Psychology, cum laude	1975
M.A.	Loyola Marymount University Counseling Psychology	1977
Ph.D.	St. Louis University Psychology	1984

Certifications, Licenses

Certifications:

Diplomate in Psychology, American College of Forensic Examiners	1999
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Licensure:

National Register of Health Service Psychologists, Credential #42764 (formerly National Register of Health Service Providers in Psychology)	2013
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National Register of Health Service Providers in Psychology, Registrant Number 42764	1993
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Licensed Psychologist:

State of Minnesota, License Number LP 1169	1992
State of California, License Number PSY 10156	1987

Community College Teaching Credential, State of California, Number 217MIN001	1987
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May 10, 2016

Academic Appointments

University of Minnesota, Twin Cities Campus	1992-Present
Adjunct Professor, Department of Educational Psychology	2011-Present
Professor, Department of Family Medicine and Community Health	2009-Present
Adjunct Professor, Department of Psychology	2009-Present
Adjunct Associate Professor, Department of Psychology	2005-2009
Associate Professor, Department of Family Medicine and Community Health	2003-2009
Adjunct Assistant Professor, Department of Psychology	2002-2005
Assistant Professor (Tenure Track), Department of Family Practice and Community Health	2000-2003
Psychologist and Assistant Professor, Department of Family Practice and Community Health	1992-2000
California Polytechnic State University, San Louis Obispo, California	1989-1990
Part-time Lecturer, Department of Psychology and Human Development	1989-1990
Cuesta College, San Luis Obispo, California	1987
Part-time Instructor, Division of Social Sciences	1987
University of New Orleans	1985-1986
Adjunct Assistant Professor, Department of Education Leadership and Foundations	1985-1986
Louisiana State University School of Medicine	1984-1986
Assistant Professor, Departments of Medicine and Psychiatry	1984-1986
University of Nebraska College of Medicine	1983-1984
Instructor, Department of Preventive and Stress Medicine	1983-1984

Clinical/Hospital Appointments

Psychologist, general mental health, behavioral medicine, University Family Physicians – Smiley's Clinic	1998-2001
Psychologist, general mental health, behavioral medicine, University	1996-1998

May 10, 2016

Family Physicians - University Clinic

Psychologist, Human Sexuality, Program in Human Sexuality, 1992-Present
 Department of Family Medicine and Community Health, University
 of Minnesota Medical Center

Private Practice, San Luis Obispo, California 1988-1992

Psychological Associate, Department of Preventive and Stress 1983-1984
 Medicine, University of Nebraska College of Medicine

Medical Staff Affiliations

Active Staff, Psychology, University of Minnesota Medical Center- 1997-Present
 Fairview. Minneapolis

Active Staff, Psychology, University of Minnesota Hospitals, 1993-1997
 Minneapolis

Active Staff, Psychology, Atascadero State Hospital, Atascadero, 1987-1992
 California

Consulting Positions

Federal Rules of Evidence 706 Expert. Karsjens et al. v. Jesson et al. 2013-present
 (No. 11-cv-3659).

Griffith Youth Forensic Service, School of Criminology, Griffith 2010
 University. Attended one-day research roundtable and one day
 adolescent sex offender treatment roundtable.

Minnesota Sex Offender Treatment Program, Moose Lake, MN. 2007-2009
 Provide research supervision to post-doctoral fellows.

U.S. Attorney's Office, St. Louis, MO. Provided expert consultation 2006
 in U.S. vs. Rodriguez.

American Psychological Association. Reviewed a manuscript being 2003
 considered for publication by APA Books.

Minnesota Valley Psychologists. Provided clinical consultation to 2003
 Dr. Robert Ellison.

Consultant, Medtronics. Provided consultation for development of the 1997-1998
 methodology for a pain perception study of two lead systems for Atrial
 Defibrillation

Access to Employment, Inc. Met with staff, providing vocational 1997-1998
 rehabilitation to developmentally disabled adults on bi-monthly basis
 to discuss issues of sexuality.

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Current Membership and Offices in Professional Organizations

International Association for Treatment of Sex Offenders	2000-present
Vice President	2000-2008
Charter Member	
Minnesota Chapter: Association for the Treatment of Sexual Abusers, member	1998-present
Member, Board of Directors	2005-2008
Association for the Treatment of Sexual Abusers	1995-present
Representative-at-Large, Board of Directors	2006-2011
President-elect	2015
President	2016-2017
Minnesota Psychological Association, member	1992-present
Association for Behavioral and Cognitive Therapies	1986-2000
American Evaluation Association, member	1984-2000
American Psychological Association, member	1980-present
Member, Division 37 and 41 Interdivisional Task Force on Child Maltreatment Prevention	
American Psychology-Law Society, member	
Division 38: Health Psychology, member	
Division 5: Evaluation, Measurement, and Statistics, member	

Past Membership and Offices in Professional Organizations

Association of Teachers of Preventive Medicine, member	1998-2000
American Heart Association	1985-1989
<i>San Luis Obispo Division</i>	
Member, Board of Directors	1986-1989
<i>California Affiliate</i>	

Other professional employment, including military service

Experimental Psychologist, California Department of Mental Health, Atascadero, California	1986-1992
Research Analyst, Creative Socio-Medics Corporation, Vienna, Virginia	1979-1980
Program Analyst, General Electric Company, Gaithersburg, Maryland	1978-1979

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HONORS AND AWARDS FOR RESEARCH WORK, TEACHING, PUBLIC ENGAGEMENT, AND SERVICE**External Sources**

Professional Service Award. Minnesota Association for the Treatment of Sexual Abusers	2008
National Research Service Award Traineeship	1982-1984

RESEARCH AND SCHOLARSHIP**Grants and Contracts****External Sources (federal {NIH, NSF, DEO, etc.} or state grants, foundation awards, etc.)****Principal Investigator/Co-Principal Investigator on Grant****Current**

Role: M. Miner, Ph.D., Principal Investigator	2013-2017
Funding Agency/Source: National Institute of Justice	
Title of Project: Evaluation of the Implementation of the Sex Offender Treatment Intervention and Progress Scale	
Total Costs: \$1,496,090	
% Funded Salary Support: 30%	
Time Commitment: 30%	

Role: M. Miner, Ph.D., Principal Investigator	2011-2014
Funding Agency/Source: National Institute of Mental Health	
Title of Project: Psychological and Cognitive Mechanisms of Sexual Compulsivity and HIV Risk	
Total Costs: \$1,132,606	
% Funded Salary Support: 35%	
Time Commitment: 35%	

Past

Role: M. Miner, Ph.D., Principal Investigator	2012-2013
Funding Agency/Source: National Institute of Child Health and Development	
Title of Project: Gender Identity and HIV Risk II	
Total Costs: \$2,236,163	
% Funded Salary Support: 10%	
Time Commitment: 10%	

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Role: M. Miner, Ph.D., Co-Principal Investigator Funding Agency/Source: National Institute of Justice Title of Project: A Multi-State Comparison of the Static-99, Static 2002 and AWA Guidelines Total Costs: \$507,073 % Funded Salary Support: 10% Time Commitment: 10%	2008-2012
Role: M. Miner, PhD, Principal Investigator Funding Agency/Source: Centers for Disease Control and Prevention Title of Project: Roots of Sexual Abuse Total Costs: \$895,534 % Funded Salary Support: 35% Time Commitment: 35%	2007-2011
Role: M. Miner, Ph.D., Principal Investigator Funding Agency/Source: Centers for Disease Control and Prevention Title of Project: Risk for Sexual Abuse: A Study of Adolescent Offenders Total Costs: \$755,378 % Funded Salary Support: 50% Time Commitment: 50%	2004-2007
Role: M. Miner, Ph.D., Principal Investigator Funding Agency/Source: Office of Juvenile Justice and Delinquency Prevention. U.S. Department of Justice Title of Project: The Unique Needs of Juvenile Sex Offenders Total Costs: \$199,597 % Funded Salary Support: 30% Time Commitment: 30%	2001-2005
Role: M. Miner, Ph.D., Principal Investigator Funding Agency/Source: Minnesota Medical Foundation Title of Project: Equipment for Phallometric Assessment Total Costs: \$8,995 % Funded Salary Support: 0% Time Commitment: 0%	2001-2002
Role: M. Miner, Ph.D., Principal Investigator Funding Agency/Source: Minnesota Department of Corrections Title of Project: Evaluation of the Residential Sex Offender Program at Minnesota Correctional Institution, Sauk Centre Total Costs: \$177,510 % Funded Salary Support: 25% Time Commitment: 25%	1994-1999

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Role: M. Miner, Ph.D., Principal Investigator 1994-1996
 Funding Agency/Source: Institute for Child and Adolescent Sexual Health
 Title of Project: **To Examine Early Risk Factors Associated with Sex Offenders**
 Total Costs: \$30,000
 % Funded Salary Support: 5%
 Time Commitment: 10%

Co-Investigator on Grant

Current

Role: M. Miner, Ph.D., Co-investigator 2014-2019
 Principal Investigator: Jerica Berge, PhD, MPH
 Funding Agency/Source: National Institute of Health
 Title of Project: **Addressing Unanswered Questions about the Home Environment and Childhood Obesity Disparities**
 Total Costs: \$499,792
 % Funded Salary Support: 10%
 Time Commitment: 10%

Past

Role: M. Miner, Ph.D., Co-investigator 2007-2012
 Principal Investigator: W. Bockting, Ph.D.
 Funding Agency/Source: National Institute of Child Health and Development
 Title of Project: **Gender Identity and HIV Risk II**
 Total Costs: \$2,236,163
 % Funded Salary Support: 10%
 Time Commitment: 10%

Role: M. Miner, Ph.D., Co-investigator 2005-2008
 Principal Investigator: Dwenda Gjerdingen, M.D.
 Funding Agency/Source: National Institute of Mental Health
 Title of Project: **Stepped Care Treatment of Post-Partum Depression**
 Total Costs: \$501,705
 % Funded Salary Support: 1%
 Time Commitment: 1%

Role: M. Miner, Ph.D., Co-investigator 2003-2008
 Principal Investigator: B.R.S. Rosser, Ph.D.
 Funding Agency/Source: National Institute of Mental Health
 Title of Project: **An RTC HIV Prevention Program for Persons with HIV**
 Total Costs: \$3,290,865
 % Funded Salary Support: 15%
 Time Commitment: 15%

Role: M. Miner, Ph.D., Co-investigator 2001-2004
 Principal Investigator: W. Bockting, Ph.D.
 Funding Agency/Source: National Institute of Drug Abuse
 Title of Project: **Gender Identity and HIV Risk**

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Total Costs: \$1,013,937
 % Funded Salary Support: 15%
 Time Commitment: 15%

Role: M. Miner, Ph.D., Co-investigator 2001-2004
 Principal Investigator: B.R.S. Rosser, Ph.D.
 Funding Agency/Source: National Institute of Mental Health
 Title of Project: **Internet HIV Prevention for Internet-using Latino MSM**
 Total Costs: \$881,403
 % Funded Salary Support: 15%
 Time Commitment: 15%

Role: M. Miner, Ph.D., Co-investigator 1997-2000
 Principal Investigator: J. Feldman, M.D., Ph.D.
 Funding Agency/Source: U.S. Health Resource Services Administration
 Title of Project: **Graduate Training in Family Medicine. Developing an AIDS Curriculum for Family Practice Residents**
 Total Costs: \$195,495
 % Funded Salary Support: 10%
 Time Commitment: 10%

Role: M. Miner, Ph.D., Co-investigator 1996-1999
 Principal Investigator: B. Robinson, Ph.D.
 Funding Agency/Source: U.S. Centers for Disease Control and Prevention
 Title of Project: **Evaluation of WISH Sexual Health Seminars for Women**
 Total Costs: \$695,925
 % Funded Salary Support: 3%
 Time Commitment: 4%

Role: M. Miner, Ph.D., Co-investigator 1989-1992
 Principal Investigator: J. Marques, Ph.D.
 Funding Agency/Source: National Institute of Mental Health
 Title of Project: **Enhancement of State Evaluation Capacity: California**
 Total Costs: \$800,000
 % Funded Salary Support: 0%
 Time Commitment: 50%

Role: M. Miner, Ph.D., Co-investigator 1985-1990
 Principal Investigator: P. Hofschire, M.D.
 Funding Agency/Source: National Heart, Lung and Blood Institute
 Title of Project: **Preventive Cardiology Academic Award**
 Total Costs: \$422,256
 % Funded Salary Support: 0%
 Time Commitment: 5%

Role: M. Miner, Co-investigator 1979-1980
 Principal Investigator: P. Richardson, Ph.D.
 Funding Agency/Source: National Institute on Alcohol Abuse and Alcoholism
 Title of Project: **Phase IV: Develop Improved Estimates of the Current Incidence and Prevalence of Alcohol Abuse**
 Total Costs: \$100,000

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% Funded Salary Support: 25%
Time Commitment: 25%

University Sources

Principal Investigator/Co-Principal Investigator on Grant

Past

Role: M. Miner, Ph.D., Principal Investigator 2001-2003
Funding Agency/Source: University of Minnesota Grant-in-Aid
Title of Project: **Structural Neuroimaging Studies of Pedophilia and Compulsive Sexual Behavior**
Total Costs: \$21,243
% Funded Salary Support: 0%
Time Commitment: 10%

Publications

Peer-Reviewed Publications

1. **Miner, M.H.**, Swinburne Romine, R., Raymond, N., Janssen, E., MacDonald III, A., & Coleman, E. Understanding the personality and behavioral mechanisms defining hypersexuality in men who have sex with men. *Journal of Sexual Medicine*, corrected proof online July 30, 2016. doi:10.1016/j.jsxm.2016.06.015
2. Zgoba, K.M., Miner, M., Levenson, J., Knight, R., Letourneau, E., & Thornton, D. The Adam Walsh Act: An Examination of Sex Offender Risk Classification Systems. *Sexual Abuse: A Journal of Research and Treatment*, published online ahead of print February 5, 2015. doi:10.1177/1079063215569543
3. Beech, A.R., **Miner, M.H.**, & Thornton, D. (2016). Paraphilias in the DSM-5. *Annual Review of Clinical Psychology*, 12, 383-406. doi:10.1146/annurev-clinpsy-021815-093330
4. **Miner, M.H.**, Swinburne Romine, R., Robinson, B.E., Berg, D., & Knight, R. (2016). Anxious attachment, social isolation, and indicators of sex drive and compulsivity: predictors of child sexual abuse perpetration in adolescent males? *Sexual Abuse: A Journal of Research and Treatment*, 28(2), 132-153. doi:10.1177/1079063214547585
5. Rullo, J.E., Strassberg, D.S., & **Miner, M.** (2015). Gender-specificity in sexual interest in bisexual men and women. *Archives of Sexual Behavior*, 44(5), 1449-1457. doi:10.1007/s10508-014-0415-y
6. Teitcher, J., Bockting, W.O., Bauermeister, J.A., Hoefer, C.J., **Miner, M.H.**, & Klitzman, R.L. (2015). Detecting, preventing, and responding to “fraudsters” in Internet research: Ethics and tradeoffs. *Journal of Law, Medicine, and Ethics*, 43(1), 116-133. doi:10.1111/jlme.12200
7. **Miner, M.H.** (2014). Review: Insufficient evidence on the effectiveness of interventions to prevent child sexual abuse in individuals at risk of abusing. *Evidence Based Mental Health*, 17(1), 24-24. doi:10.1136/eb-2013-101559
8. Carpenter, D.L., & **Miner, M.H.** (2013). Examining the validity of low-income African American women’s responses to items from the Compulsive Sexual Behavior Inventory (CSBI). *Sexual Addiction & Compulsivity: The Journal of Treatment & Prevention*, 19(3), 181-198. doi:10.1080/10720162.2012.682954

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9. **Miner, M.H.**, & Coleman, E. (2013). Compulsive sexual behavior and its relationship to risky sexual behavior. Sexual Addiction & Compulsivity: The Journal of Treatment & Prevention, 20(1-2), 127-138. doi:10.1080/10720162.2013.768133
10. Bockting, W.O., **Miner, M.H.**, Swinburne Romine, R.E., Hamilton, A., & Coleman, E. (2013). Stigma, mental health, and resilience among an online sample of the U.S. transgender population. American Journal of Public Health, 103(5), 943-951. doi:10.2105/AJPH.2013.301241
11. Hanson, K. R., Letourneau, E. J., Olver, M. E., Wilson, R. J., & **Miner, M. H.** (2012). Incentives for offender research participation are both ethical and practical. Criminal Justice and Behavior, 39(11), 1391-1404. doi:10.1177/0093854812449217
12. Peterson, J. L., **Miner, M. H.**, Brennan, D. J. & Rosser, B. R. S. (2012). HIV treatment optimism and sexual risk behaviors among HIV positive African American men who have sex with men. AIDS Education and Prevention. 24(2), 91-101. doi: 10.1521/aeap.2012.24.2.91
13. Swinburne Romine, R.E., **Miner, M.H.**, Poulin, D. Dwyer, S.M., & Berg, D. (2012) Predicting reoffense for community based sexual offenders: An analysis of 30 years of data. Sexual Abuse: A Journal of Research and Treatment, 24(5), 501-514. doi: 10.1177/1079063212446514
14. Netland, J. & **Miner, M. H.** (2012). Psychopathy traits and parental dysfunction in sexual offending and general delinquent adolescent males. Journal of Sexual Aggression, 18(1), 4-22. doi: 10.1080/13552600.2011.632696
15. **Miner, M. H.**, Bockting, W. O., Swinburne Romine, R. E., & Raman, S. (2012) Conducting Internet Research with the Transgender Population: Reaching Broad Samples and Collecting Valid Data. Social Science Computer Review, 30(2), 202-211. doi: 10.1177/0894439311404795
16. Coleman, E., Horvath, K., **Miner, M.**, Ross, M. W., Oakes, M., Rosser, B. R. S. and Men's INternet Sex (MINTS-II) Team. (2010). Compulsive Sexual Behavior and Risk for Unsafe Sex Among Internet Using Men who Have Sex with Men, Archives of Sexual Behavior, 39(5), 1045-1053. doi: 10.1007/s10508-009-9507-5
17. **Miner, M.H.**, Robinson, B., Knight, R.A., Berg, D., Swinburne-Romine, R., & Netland, J. (2010). Understanding sexual perpetration against children: Effects of attachment style, interpersonal involvement, and hypersexuality. Sexual Abuse: A Journal of Research and Treatment, 22, 58-77. doi: 10.1177/1079063209353183
18. Rosser, B.R.S., Hatfield, L.A., **Miner, M.H.**, Ghiselli, M.E., Lee, B.R., Welles, S.L. & the Positive Connections Team. (2010). Effects of a behavioral intervention to reduce serodiscordant unsafe sex among HIV positive Men who have Sex with Men: The Positive Connections randomized controlled trial study. Journal of Behavioral Medicine, 33(2), 147-158. doi: 10.1007/s10865-009-9244-1
19. Brennan, D.J., Welles, S.L., **Miner, M.H.**, Ross, M.W., Rosser, B.R.S., Positive Connections Team. (2010). HIV treatment optimism and unsafe anal intercourse among HIV-positive men who have sex with men: Findings from the Positive Connections Study. AIDS Education & Prevention, 22(2), 126-137. doi: 10.1521/aeap.2010.22.2.126
20. Gjerdingen, D., Fontaine, P., Crow, S., McGovern, P., Center, B., & **Miner, M.** (2009). Predictors of Mothers' Postpartum Body Dissatisfaction. Women & Health, 49(6), 491-504. doi: 10.1080/03630240903423998
21. Gjerdingen, D., Crow, S., McGovern, P., **Miner, M.**, & Center, B. (2009). Stepped care treatment of postpartum depression: Impact on treatment, health and work outcomes. Journal of the American Board of Family Medicine, 22(5), 473-482. doi: 10.3122/jabfm.2009.05.080192
22. Brennan, D.J., Welles, S.L., **Miner, M.**, Ross, M., Mayer, K., & Rosser, B.R.S. and The Positive

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- Connections Team. (2009). Development of a treatment optimism scale for HIV-positive gay and bisexual men, AIDS Care, 21(9), 1090-1097. doi: 10.1080/09540120802705859
23. Rosser, B.R.S., **Miner, M.H.**, Bockting, W.O., Ross, M.W., Konstan, J., Gurak, L., Stanton, J., Edwards, W. Jacoby, S., Carballo-Diéguez, A., Mazin, R., & Coleman, E. (2009). HIV risk and the Internet: Results of the Men's INternet Sex (MINTS) study. AIDS and Behavior, 13(4), 746-756. doi: 10.1007/s10461-008-9399-8
 24. Powers-Sawyer, A.B. & **Miner, M.H.** (2009). Actuarial prediction of juvenile recidivism: Static variables of the Juvenile Sex Offender Assessment Protocol-II. Sex Offender Treatment, 4, 1-11.
 25. **Miner, M.H.**, Raymond, N., Mueller, B., Lloyd, M., & Lim, K. (2009). Preliminary investigation of the impulsive and neuroanatomical characteristics of compulsive sexual behavior. Psychiatry Research: Neuroimaging, 174, 146-151.
 26. **Miner, M.H.**, Peterson, J.L., Welles, S.L., Jacoby, S., & Rosser, B.R.S. (2009). How do social norms impact HIV sexual risk behavior in HIV-positive men who have sex with men? Multiple mediator effects. Journal of Health Psychology, 14, 761-770.
 27. Gjerdingen, D., Crow, S., McGovern, P., **Miner, M.**, & Center, B. (2009). Postpartum depression screening at well-child visits: Validity of the two-question screen and PHQ-9. Annals of Family Medicine, 7, 63-70.
 28. Welles, S.L., Baker, A.C., **Miner, M.H.**, Brennan, D.J., Jacoby, S., & Rosser, B.R.S. (2009). History of childhood sexual abuse and unsafe anal intercourse in HIV+ men who have sex with men from a multi-city prevention trial. American Journal of Public Health, 99, 1079-1086.
 29. O'Dell, B.L., Rosser, B.R.S., **Miner, M.H.**, & Jacoby, S.M. (2008). HIV Prevention Altruism and Sexual Risk Behavior in HIV-Positive Men Who Have Sex with Men. AIDS & Behavior, 12, 713-720.
 30. Seto, M. C., Marques, J. K., Harris, G. T., Chaffin, M., Lalumière, M. L., **Miner, M. H.**, Berliner, L., Rice, M. E., Lieb, R., & Quinsey, V. L. (2008). Good science and progress in sex offender treatment are intertwined: A response to Marshall and Marshall (2007). Sexual Abuse: A Journal of Research and Treatment, 20, 247-255.
 31. Rosser, B.R.S., Bockting, W.O., Ross, M.W., **Miner, M.H.**, & Coleman, E. (2008). The relationship between homosexuality, internalized homonegativity and mental health in Men who have Sex with Men. Journal of Homosexuality, 55, 150-168.
 32. **Miner, M.H.** & Center, B.A. (2008). Improving the measurement of criminal sexual behavior: The application of randomized response technique. Sexual Abuse: A Journal of Research and Treatment, 20, 88-101.
 33. **Miner, M.H.** (2007). The fallacy of juvenile sex offender risk. Reaction essay, Criminology & Public Policy, 6, 1101-1108.
 34. Bockting, W.O., **Miner, M.H.**, & Rosser, B.R.S. (2007). Latino men's sexual behavior with transgender persons. Archives of Sexual Behavior, 36, 778-786.
 35. Rosser, B.R.S., Oakes, J.M., Bockting, W.O., & **Miner, M.** (2007). Capturing the social demographics of hidden sexual minorities: An internet study of the transgender population of the United States. Sexuality Research and Social Policy, 4, 50-64.
 36. Raymond, N.C., Lloyd, M. **Miner, M.H.**, & Kim, S.W. (2007). A preliminary examination of the reliability and validity of the Sexual Symptom Assessment Scale. Journal of Sexual Addiction and Compulsivity, 14, 119-129.
 37. **Miner, M.H.**, Borduin, C., Prescott, D., Bovensmann, H., Schepker, R., Du Bois, R., Schlada, J.,

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- Eher, R., Schmeck, K. Langfeldt, T., Smit, A., & Pfäfflin, F. (2007). Standards of care for juvenile sexual offenders of the International Association for the Treatment of Sexual Offenders. Sexual Offender Treatment, 1(3), 1-7.
38. **Miner, M.H.**, Coleman, E., Center, B.A., Ross, M., & Rosser, B.R.S. (2007). Compulsive Sexual Behavior Inventory: Psychometric properties. Archives of Sexual Behavior, 36, 579-587.
 39. Lloyd, M., Raymond, N.C., **Miner, M.H.**, & Coleman, E. (2007). Borderline personality traits in individuals with compulsive sexual behavior. Journal of Sexual Addiction and Compulsivity, 14, 187-206.
 40. Carballo-Diéguez, A., **Miner, M.**, Dolezal, C., Rosser, S., & Scott, J. (2006). Sexual negotiation, HIV-status disclosure, and sexual risk behavior among Latino men who use the Internet to seek sex with other men. Archives of Sexual Behavior, 35, 473-481.
 41. **Miner, M.H.**, Klotz Flitter, J.M., & Robinson, B. (2006). Association of sexual revictimization with sexuality and psychological function. Journal of Interpersonal Violence, 21, 503-524.
 42. **Miner, M.H.** & Munns, R.A. (2005). Isolation and normlessness: Attitudinal comparisons of adolescent sex offenders, juvenile delinquents, and nondelinquents. International Journal of Offender Treatment and Comparative Criminology, 49, 491-504.
 43. Letourneau, E. & **Miner, M.** (2005). Juvenile sex offenders: A case against the legal and clinical status quo. Sexual Abuse: A Journal of Research and Treatment, 17, 293-312.
 44. Feldman, J., **Miner, M.**, & Millis, M. (2004). Training family practice residents in HIV care. AIDS Patient Care and STDs, 18, 395-404.
 45. Raymond, R.C., Coleman, E., Benefield, C., & **Miner, M.H.** (2003). Psychiatric comorbidity and compulsive/impulsive traits in compulsive sexual behavior. Comprehensive Psychiatry, 24, 370-380.
 46. **Miner, M.H.**, Robinson, B.E., Hoffman, L., Albright, C.L., & Bockting, W.O. (2002). Improving safer sex measures through the inclusion of relationship and partner characteristics. AIDS Care, 14, 827-837.
 47. **Miner, M.H.** (2002). Factors associated with recidivism in juveniles: An analysis of serious juvenile sex offenders. Journal of Research in Crime and Delinquency, 39, 421-436.
 48. Robinson, B.E., Uhl, G., **Miner, M.**, Bockting, W.O., Scheltema, K.E., Rosser, B.R.S., & Westover, B. (2002). Evaluation of a sexual health approach to prevent HIV among low income, urban, primarily African-American women: Results of a randomized controlled trial. AIDS Education and Prevention, 14 (Suppl. A), 81-96.
 49. **Miner, M.H.** & Coleman, E. (2002). Advances in sex offender treatment and challenges for the future. Journal of Psychology and Human Sexuality, 13 (3/4), 5-24.
 50. Robinson, B.E., Bockting, W.O., Rosser, B.R.S., **Miner, M.H.**, & Coleman, E. (2002). The sexual health model: A sexological approach to long-term HIV risk reduction. Health Education Research, 17, 43-57.
 51. **Miner, M.H.** (2002). Pedophilia, A psychosexual disorder. Commentary on Green (2002). Archives of Sexual Behavior, 31, 489-490.
 52. Coleman, E., **Miner, M.**, Ohlerking, F., & Raymond, N. (2001). Compulsive sexual behavior inventory: A preliminary study of reliability and validity. Journal of Sex and Marital Therapy, 27, 325-332.
 53. Coleman, E. & **Miner, M.** (2000). Promoting sexual offender treatment around the world: An

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introduction. Journal of Psychology and Human Sexuality, 11, 1-9.

54. Coleman, E., Dwyer, S.M., Abel, G., Berner, W., Breiling, J., Eher, R., Hindman, J., Langevin, R., Langfeldt, T., **Miner, M.H.**, Pfäfflin, F., & Weiss, P. (2000). Standards of care for the treatment of adult sex offenders. Journal of Psychology & Human Sexuality, 11, 11-17.
55. Raymond, N.C., Coleman, E., Ohlerking, F., Christenson, G.A., & **Miner, M.H.** (1999) Psychiatric comorbidity in pedophilic sex offenders. American Journal of Psychiatry, 156, 786-788.
56. Metz, M.E. & **Miner, M.H.** (1998). Psychosexual and psychosocial aspects of male aging and sexual health. Canadian Journal of Human Sexuality, 7, 228-242.
57. **Miner, M.H.** (1997). How can we conduct treatment outcome research? Sexual Abuse: A Journal of Research and Treatment, 9, 95-110.
58. **Miner, M.H.** & Dwyer, S.M. (1997). The psychosocial development of sex offenders: Differences between exhibitionists, child molesters and incest offenders. International Journal of Offender Therapy and Comparative Criminology, 41, 36-44.
59. Metz, M.E. & **Miner, M.H.** (1995). Male menopause, aging, and sexual function: A review. Journal of Sexuality and Disability, 13, 287-307.
60. **Miner, M.H.** & Dwyer, S.M. (1995). Analysis of dropouts from outpatient sex offender treatment. Journal of Psychology and Human Sexuality, 7(3), 77-93.
61. Hutton, H.E. & **Miner, M.H.** (1995). The validation of the Megargee-Bohn typology in African-American and Caucasian forensic patients. Criminal Justice and Behavior, 22, 233-245.
62. **Miner, M.H.**, West, M.A., & Day, D.M. (1995). Sexual preference for child and aggressive stimuli: Comparison of rapists and child molesters using auditory and visual stimuli. Behavior Research and Therapy, 33, 545-551.
63. Rosser, B.R., Dwyer, S.M., Coleman, E., **Miner, M.H.**, Metz, M., Robinson, B., & Bockting, W.O. (1995). Using sexually explicit material in sex education: An eighteen year comparative analysis. Journal of Sex Education and Therapy, 21, 117-128.
64. Dwyer, S.M., Bockting, W.O., Robinson, B., & **Miner, M.H.** (1994). Sex offender case study: The truth? Journal of Forensic Sciences, 39, 241-245.
65. Hutton, H.E., **Miner, M.H.**, & Langfeldt, V.C. (1993). The utility of the Megargee-Bohn typology in a forensic psychiatric hospital. Journal of Personality Assessment, 60, 572-587.
66. Hutton, H.E., **Miner, M.H.**, Blades, J.R., & Langfeldt, V.C. (1992). Ethnic differences on the MMPI Overcontrolled Hostility Scale. Journal of Personality Assessment, 58, 260-268.
67. **Miner, M.H.**, Marques, J.K., Day, D.M., & Nelson, C. (1990). Impact of relapse prevention in treating sex offenders: Preliminary findings. Annals of Sex Research, 3, 165-185.
68. Nelson, C., **Miner, M.**, Marques, J., Russell, K., & Achterkirchen, J. (1989). Relapse prevention: A cognitive behavioral model for the treatment of the rapist and child molester. Journal of Social Work and Human Sexuality, 7, 125-143.
69. Arbeit, M., Nicklas, T., Frank, G., Webber, L., **Miner, M.**, & Berenson, G. (1988). Caffeine intakes of children from a biracial population--The Bogalusa Heart Study. Journal of the American Dietetic Association, 88, 466-471.
70. Amos, C., Hunter, S.M., Zinkgraf, S., **Miner, M.H.**, & Berenson, G.S. (1987). Characterization and development of a comprehensive type A measure for children in a biracial community--The Bogalusa Heart Study. Journal of Behavioral Medicine, 10, 425-439.

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71. McKinney, M.E., **Miner, M.H.**, Ruddel, H., McIlvain, H.E., Witte, H., Buell, J.C., Eliot, R.S., & Grant, L.B. (1985). Standardized mental stress test paradigm: Test-retest reliability, comparison with portable blood pressure monitoring and task related patterns of cardiovascular reactivity. Psychophysiology, 22, 453-463.
72. **Miner, M.H.**, McKinney, M.E., Witte, H., Buell, J.C., & Eliot, R.S. (1985). Regular caffeine consumption: Effects on resting cardiovascular function and cardiovascular changes induced by mental challenge. Nebraska Medical Journal, 70, 43-48.
73. **Miner, M.H.** (1983). Preliminary contact with a mailed follow-up survey: Effect on rate of response of former mental health patients. Evaluation Review, 7, 385-396.

Non-Peer-Reviewed Publications

1. **Miner, M.** (2007). Is this any way to develop policy? Sex Offender Treatment, 2(1).
2. Eher, R., & **Miner, M.** (2005). Editorial. Sex Offender Treatment, 1, 2-3.
3. **Miner, M.H.** (2005, Fall). Musings of a SOTEP ex-patriot. Perspectives: California Coalition on Sexual Offending Quarterly Newsletter.
4. **Miner, M.H.** & Coleman, E. (2002). Introduction: Sex offender treatment: Accomplishments, challenges and future directions. Journal of Psychology and Human Sexuality, 13 (3/4), 1-3.
5. **Miner, M.H.** (2001). As we get older. An editorial. The Forum, 13(1), 1-2.
6. **Miner, M.H.** & Striepe, M.I. (2000). Sex in an academic health center: The Program in Human Sexuality. The Health Psychologist, 22(2), 4-5.
7. **Miner, M.H.** (1997). Introduction to the special issue on treatment outcome research. Sexual Abuse: A Journal of Research and Treatment, 9, 91-93.
8. **Miner, M.H.** (1992). Can sex offenders be treated? California's response. The Correctional Psychologist, 24(2), 4-8.
9. Burke, G.L., Shear, C.L., Cresanta, J.L., **Miner, M.H.**, & Berenson, G.S. (1986). Cardiovascular risk factors and their modification in children. Cardiology Clinics, 4, 33-46.

Articles Submitted for Publication/In Preparation

1. Bockting, W.O., **Miner, M.H.**, & Swinburne Romine, R. Development of the Transphobia Scale.
2. Swinburne Romine, R., **Miner, M.H.**, & Bockting, W. Issues of fraudulent responding in internet research.
3. Robinson, B., Lewis-Dmello, A., Paldron, M., Oram, D., Henderson, A., & **Miner, M.** The development of a semi-structured interview for measuring attachment style in adolescent males.
4. Swinburne Romine, R. & **Miner, M.** Structure of interview ratings of attachment style in male adolescents.
5. Burton, D., & **Miner, M.** Exploring the theories explaining male adolescent perpetration of sex crimes.
6. Munns, R., Berg, D., & **Miner, M.** Sexual offender treatment.
7. Trofholz, A.C., Tate, D.A., **Miner, M.H.**, & Berge, J.M. Associations between TV viewing and paying attention to TV at family meals with meal healthfulness, dietary intake, and child weight status.

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8. Newstrom, N.P., Harris, S.M., & **Miner, M.H.** Adolescent sex offenders and relationship strain: An exploration of family and peer strain. Under review by *Sexual Abuse: A Journal of Research and Treatment*.

Books

1. Boer, D.P., Eher, R., Craig, L.A., **Miner, M.H.**, & Phafflin, F. (Eds.). (2011). *International Perspectives on the Assessment and Treatment of Sex Offenders: Theory, Practice and Research*. West Sussex, U.K.: Wiley.
2. **Miner, M.H.** & Coleman, E. (Eds.: 2002). *Sex offender treatment: Accomplishments, challenges, and future directions*. New York: Haworth Press.
3. Coleman, E. & **Miner, M.** (Eds.: 2000). Sex offender treatment: Biopsychosocial perspectives. New York: Haworth Press.

Chapters in Books

1. Wilson, R.J., & **Miner, M.H.** (2016). Measurement of male sexual arousal and interest using penile plethysmography and viewing time. In D.R. Laws & W. O'Donahue (Eds.), Treatment of Sex Offenders: Strengths and Weaknesses in Assessment and Intervention (pp. 107-131). New York: Springer. doi:10.1007/978-3-319-25868-3_5
2. **Miner, M.H.** (2015). Sex offender, treatment. In P. Whelehan & A. Bolin (Eds.), The International Encyclopedia of Human Sexuality (pp. 1160-1164). Hoboken, NJ: Wiley & Sons. doi:10.1002/9781118896877.wbiehs433
3. **Miner, M.H.** (2002). Factors associated with recidivism in juvenile sex offenders: A study of serious offenders. In M. Calder (Ed.), Young people who sexually abuse: Building the evidence base for your practice. Dorset, UK: Russell House.
4. **Miner, M.H.** (2000). Competency-Based Assessment. In D.R. Laws, S. Hudson, A. Ward (Eds.), Remaking relapse prevention for sex offenders: A sourcebook. Newbury Park, CA.: Sage Publications.
5. **Miner, M.H.** & Crimmins, C.L.S. (1997). Adolescent sex offenders: Issues of etiology and risk factors. In B.K. Schwartz & H.R. Cellini (Eds.), The sex offender: New insights, treatment innovation and legal developments (Vol. II). Kingston, N.J., Civic Research Institute.
6. **Miner, M.H.**, Day, D.M., & Nafpaktitis, M.H. (1989). Assessment of coping skills: Development of a situational competency test. In D.R. Laws (Eds.), Relapse prevention with sex offenders. New York, Guilford Press, 1989.
7. Day, D.M., **Miner, M.H.**, Sturgeon, V.H., & Murphy, J. (1989). Assessment of sexual arousal by means of physiological and self-report measures. In D.R. Laws (Ed.), Relapse prevention with sex offenders. New York, Guilford Press.
8. Russell, K., Sturgeon, V.H., **Miner, M.H.**, & Nelson, C. (1989). Determinants of the abstinence violation effect in sexual fantasies. In D.R. Laws (Ed.), Relapse prevention with sex offenders. New York, Guilford Press.
9. Marques, J.K., Day, D.M., Nelson, C., & **Miner, M.H.** (1989). The Sex Offender Treatment and Evaluation Project: California's relapse prevention program. In D.R. Laws (Ed.), Relapse prevention with sex offenders. New York, Guilford Press, 1989.

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10. Downey, A.M., Butcher, A.H., Frank, G.C., Webber, L.S., **Miner, M.H.**, & Berenson, G.S. (1987). Development and implementation of a school health promotion program for reduction of cardiovascular risk factors in children and prevention of adult coronary heart disease. In B. Hetzel & G.S. Berenson (Eds.). Cardiovascular risk factors in childhood: Epidemiology and prevention. New York, Elsevier Science Publishers.

Peer-Reviewed Abstracts

1. **Miner, M.H.** (2012). Understanding Perpetration of Child Sexual Abuse: Results from a Study of Adolescent Males. Forensische Psychiatrie und Psychotherapie, 19 (Suppl. 1), 104.
2. **Miner, M.H.** (2012). An Empirically Guided Approach to Assessing and Treating Adolescents who Have Committed Sexual Offenses. Forensische Psychiatrie und Psychotherapie, 19 (Suppl. 1), 103.
3. **Miner, M.H.** (2008). Drugs, sex, and aggression: The association between substance use, abuse and sexual aggression. Forensische Psychiatrie und Psychotherapie, 15 (Suppl. 1), 87.
4. Rosser, B.R.S., **Miner, M.H.**, Welles, S., Coleman, E., Hatfield, L.A., Lee, B.R., Jacoby, S.M., Ghiselli, M.E., & the Positive Connections Team. Effects of a behavioral intervention to reduce serodiscordant unsafe sex among HIV positive Men who have Sex with Men: The Positive Connections randomized controlled study. Abstracts of the XVII International AIDS Conference, Mexico City, 3-8 August 2008, Wednesday 6, Abstract 8559.
5. Coleman, E., Horvath, K.J., **Miner, M.**, Ross, M.W., Rosser B.R.S. and the Men's INternet Study (MINTS-II) Team. Compulsive sexual behavior and risk for unsafe sex in online liaisons for men who use the Internet to seek Sex with Men: Results of the Men's INternet Sex (MINTS-II) Study. Abstracts of the XVI International AIDS Conference, Toronto, Canada, August 17, 2006, #ThPDC06. (Poster presentation and discussion).
6. Rosser, B.R.S., Peterson, J.L., Jacoby, S.J., **Miner, M.**, Welles, S., Hatfield, L.A. and the Positive Connections Team. Unsafe sex rates of HIV positive3 MSM in the USA: Results of the Positive Connections Trial. Abstracts of the XVI International AIDS Conference, Toronto, Canada, July 13-18, #WePe0312. (Poster presentation)
7. Jacoby, S., Rosser, B.R.S., Coleman, E., **Miner, M.H.**, Robinson, B.E., O'Dell, B. and the Positive Connections Team. Positive Connections, A Randomized Controlled Trial for HIV-Positive Men who have Sex with Men. Abstracts of the 2005 National HIV Prevention Conference, Atlanta, GA, July 12-15, 2005; #T1-C1104, p.94. (Poster presentation).
8. **Miner, M.H.** (2004). Understanding child molesting in adolescence: Testing attachment theory-based hypotheses. Forensische Psychiatrie und Psychotherapie, 11, 70
9. Rosser, B.R.S., **Miner, M.H.**, Gurak, L., Bockting, W.O., Merino-Espinoza, C., Edwards, W.O., Konstan, J., Coleman, E. Researching Internet-mediated sex between men: The Men's INternet Study (MINTS). Abstracts of the XIV International AIDS Conference, Barcelona, Spain, July, 2002. #TuPeF5289: 592.
10. Bockting, W., Gurak, L., **Miner, M.**, Robinson, B., Rosser, B.R.S., Raman, S., Coleman, E. Gender identity and HIV risk: reaching the transgender community via the Internet. . Abstracts of the XIV International AIDS Conference, Barcelona, Spain, July, 2002. #TuOrE1161:p. 535.
11. Robinson, B.E., Uhl, G., **Miner, M.**, Bockting, W., Sheltema, K.E., Rosser, B.R.S., Westover, B. Evaluation of a sexual health approach to prevention HIV among low income, urban, primarily African-American women in the U.S.: Results of a randomized controlled trial. Abstracts of the XIV International AIDS Conference, Barcelona, Spain, July, 2002. #MoPpD2023: p. 150.
12. **Miner, M.H.**, Munns, R., & Berg, D. (2002). Understanding the adolescent sex offender: Factors

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that differentiate sex offenders from other delinquents. Forensische Psychiatrie und Psychotherapie, 9 (Sppl.), 135.

13. Raymond, N.C., Coleman, E. & **Miner, M.H.** (2002). Impulsive and compulsive traits in pedophilic sex offenders. Forensische Psychiatrie und Psychotherapie, 9 (Sppl.), 136.
14. **Miner, M.H.** (2002). Developments in phallometric assessment. Forensische Psychiatrie und Psychotherapie, 9 (Sppl.), 162.
15. **Miner, M.H.** & Day, D.M. (1990). Randomized response in measurement of criminal behavior (abstract). Proceedings of Evaluation '89.
16. **Miner, M.H.**, McIlvain, H.E., McKinney, M.E., Witte, H., Ruddel, H., Buell, J.C., & Eliot, R.S. (1985). The relationship of type A, anger-in, and psychometric measures of personality to cardiovascular response to stress (abstract). Psychophysiology, 22, 605.
17. McKinney, M.E., Ruddel, H., **Miner, M.H.**, McIlvain, H.E., Hofschire, P.J., Buell, J.C., & Eliot, R.S. (1985). Task differences in cardiovascular reactivity and comparison with blood pressure changes during low-level exercise (abstract). Psychophysiology, 22, 604.
18. **Miner, M.H.**, McKinney, M.E., Ruddel, H., Buell, J.C., Eliot, R.S., & Grant, L.B. (1984). Test-retest reliability of a mental stress testing paradigm designed to evoke cardiovascular reactivity (abstract). Psychophysiology, 21, 589.
19. Richardson, P.A., Lau, J.P., & **Miner, M.H.** (1980). Mortality patterns among four cohorts of alcohol treatment clients (abstract). Alcoholism: Clinical and Experimental Research, 4(2), 227.

Reports

1. Zgoba, K.M., **Miner, M.**, Knight, R., Letourneau, E., Levenson, J., Thornton, D. (2012). *A multi-site state recidivism study using Static-99R and Static-2002 risk scores and tier guidelines from the Adam Walsh Act.* (2008-MU-MU-000). Washington, DC: National Institute of Justice.
2. **Miner, M.H.**, Swinburne Romine, R., Robinson, B.E., & Berg, D. (2011, November). *Roots of sexual abuse* (5R01CE001210-03). Atlanta, GA.: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.
3. **Miner, M.H.**, Berg, D., Robinson, B.E., Hoelsing, R., Netland, J., & Swinburne Romine, R. (2008, December). *Risks for sexual abuse: A study of adolescent offenders* (1 R49 CE000265-02). Atlanta, GA.: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.
4. **Miner, M.H.** & Swinburne Romine, R. (2006). *Unique needs of juvenile sex offenders. Final report* (2001-JR-BX-0003). Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.
5. Robinson, B.E., **Miner, M.H.**, Bockting, W.O., Westover, B., Uhl, G., Rosser, B.R.S., Scheltema, K., & Albright, C. (2001). Effects of an intensive sexual health seminar on the HIV and sexual knowledge, attitudes and behaviors of African American women. Final report. Atlanta, GA.: Centers for Disease Control and Prevention.
6. **Miner, M.H.** (1999). Recidivism Report – 1999. *Evaluation of the Juvenile Sex Offender Treatment Program, Minnesota Correctional Facility – Sauk Centre*. Minneapolis, MN: University of Minnesota, Program in Human Sexuality.
7. **Miner, M.H.**, Siekert, G.P., & Ackland, M. (1997). Evaluation: Juvenile Sex Offender Treatment Program, Minnesota Correctional Facility – Sauk Center: Final Report – Biennium 1995-1997. Minneapolis, MN. University of Minnesota, Program in Human Sexuality.

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8. Marques, J., Nelsen, C., Day, D., **Miner, M.H.**, & West, M. (1991). *The Sex Offender Treatment and Evaluation Project: Fourth Report to the Legislature in Response to PC 1365*. Sacramento, CA: Department of Mental Health.
9. Marques, J., Nelsen, C., Day, D., & **Miner, M.H.** (1989). *The Sex Offender Treatment and Evaluation Project: Third Report to the Legislature in Response to PC 1365*. Sacramento, CA: Department of Mental Health.
10. Marques, J., Nelsen, C., Day, D., & **Miner, M.H.** (1987). *The Sex Offender Treatment and Evaluation Project: Second Report to the Legislature in Response to PC 1365*. Sacramento, CA: Department of Mental Health.
11. Creative Socio-Medics Corporation (1980). *Phase I Final Report: Women's Occupational Alcoholism Demonstration Project*. Rockville, MD: National Institute on Alcohol Abuse and Alcoholism.
12. Richardson, P.A. & **Miner, M.H.** (1980). *Phase IV Final Report: Develop Improved Estimates of the Current Incidence and Prevalence of Alcohol Abuse*. Rockville, MD: National Institute on Alcohol Abuse and Alcoholism.
13. **Miner, M.H.** (1980). *Manpower in Drug Abuse Treatment Units: Data from the April 30, 1979 National Drug and Alcoholism Treatment Utilization Survey* (National Institute on Drug Abuse Statistical Series, Series B, No. 1). Rockville, MD: National Institute on Drug Abuse.
14. General Electric Corporation (1979). *Final Report: Secretary's, Health, Education and Welfare, Alcohol Initiatives Project*. Rockville, MD: Alcohol, Drug Abuse, and Mental Health Administration.
15. **Miner, M.H.** (1977). *An Analysis of Disulfiram and Court School Programs*. Washington, D.C.: National Traffic Safety Administration.

Reviews-Book, Chapter, Film, and Videotape

1. **Miner, M.H.** *Sexual deviance: Theory, assessment and treatment*. New York: Guilford, 1997. Reviewed for *Journal of Sex Research*, 1998; 35, 411-413.

Presentations

Invited Oral Presentations at International Professional Meetings, Conferences, etc.

1. Symposium Chair, Is it impulsive, compulsive, addiction, or just sexual appetite? Emerging empirical investigation of hypersexual behavior. 41st Annual Meeting of the International Academy of Sex Research, Toronto, Ontario, Canada, August 2015.
2. Invited Oral Presentation: What is hypersexuality? An investigation of psychological mechanisms in men who have sex with men. 41st Annual Meeting of the International Academy of Sex Research, Toronto, Ontario, Canada, August 2015.
3. Plenary: Understanding Perpetration of Child Sexual Abuse: Results from a Study of Adolescent Males, 12th International Conference of the Association for the Treatment of Sexual Offenders, Berlin, Germany, September 2012.
4. Keynote Panel, Public Policy vs. Research vs. Advocacy Concerning Sex Offender Management, 15th Annual International Conference on Violence, Abuse, and Trauma, September 13, 2010, San Diego, CA.

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5. Presenter, Treatment for youth sexual offenders: Past, present and future. Preventing Youth Sexual Violence and Abuse, Research-Policy-Practice Symposium, Brisbane, Queensland, Australia, April 7, 2010.
6. Presenter, Impulse control and frontal lobe abnormalities in impulsive/compulsive sexual behavior. Thirty-fifth Annual Meeting of the International Academy of Sex Research, San Juan, Puerto Rico, August 2009.
7. Presenter, Why don't they understand? Issues in communication between sex researchers and IRBs. Thirty-fifth Annual Meeting of the International Academy of Sex Research, San Juan, Puerto Rico, August 2009.
8. Presenter, Drugs, sex, and aggression: The association between substance use, abuse, and sexual aggression. 10th International Conference of the International Association for the Treatment of Sexual Offenders, Cape Town, South Africa, August, 2008.
9. The adolescent who sexually offends: Current knowledge and standards of care. 9th International Conference of the International Association for the Treatment of Sexual Offenders, Hamburg, Germany, September, 2006.
10. Chair, Child Sexual Abuse, a plenary session at the 8th International Conference of the International Association for the Treatment of Sexual Offenders. Athens, Greece, October, 2004.
11. Understanding child molesting in adolescence: Testing attachment theory-based hypotheses. 8th International Conference of the International Association for the Treatment of Sexual Offenders. Athens, Greece, October, 2004.
12. Chair. Assessment of Sex Offenders. VI International Conference on the Treatment of Sex Offenders, Toronto, Ontario, Canada, May, 2000.
13. Chair and Presenter. Sexual Predator Laws: Implications of Using Civil Commitments for Criminal Behavior. V International Conference on the Treatment of Sexual Offenders, Caracas, Venezuela, March 1998.
14. Presenter. Is the Glass Half Full or Empty? Issues in Outcome Research. V International Conference on the Treatment of Sexual Offenders, Caracas, Venezuela, March 1998

Invited Oral Presentations at National Professional Meetings, Conferences, etc.

1. Presenter, Do I have 1,000 subjects or one subject 1,000 times? Duplicate and fraudulent participants in web-based studies. A Potpourri of Technological Tools for Sex Research for Tech Natives & Tech Immigrants, Presidential Plenary Panel, Annual Conference of the Society for the Scientific Study of Sexuality, Tampa, Florida, November 2012.
2. Chair, Impact of legislation on recidivism, a symposium at the 31st Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Denver, Colorado, October 2012.
3. Keynote, What's Non-Deviant Sex? An Overview of Sexual Development and Adult Sexual Behavior. Sex Offender Management Board Annual Conference, Breckenridge, CO, July 2012.

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4. Chair, Adolescent Attachment and its Application to Juvenile Sexual Offenders. Symposium at the 29th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Phoenix Arizona, October 2010.
5. Plenary, What's non-deviant sex? An overview of sexual development and adult sexual behavior. 28th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Dallas, TX, September 30-October 3, 2009.
6. Discussant, Recent validation findings of the J-SOAP-II and JSORRAT-II: Implications for juvenile risk assessment. 28th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Dallas, Texas, September 30-October 3, 2009.
7. Keynote, Roots of Sexual Abuse: Understanding Adolescent Sexual Offending Against Children. 23rd Annual National Adolescent Perpetration Network Conference, Portland, Oregon, May, 2008.
8. Chair, Insights from the field: What recent research tells us about juvenile sexual offenders and intervention, a symposium at the 27th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Atlanta, Georgia, October, 2008.
9. Chair, Roots of sexual abuse: Results and implications of an application of attachment theory and the confluence model, a symposium at the 26th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, California, October 31-November 3, 2007
10. Moderator, Research with vulnerable populations, including children, adolescents, and prisoners. 2007 Social, Behavioral, Educational Research Conference sponsored by Public Responsibility in Medicine and Research, Broomfield, Colorado., May, 2007.
11. Discussant, Methodological alternatives to the study of sexual attitudes and behavior: Moving beyond long-term recall surveys, a symposium at the 40th Annual Convention of the Association for Behavioral and Cognitive Therapies, Chicago, Illinois, November, 2006.
12. Chair, Insecure Attachment and Sexual Offending in Adolescence: Thorny Issues and Preliminary Results, a symposium at the 25th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Chicago, Illinois, September, 2006.
13. Panelist, Working Together to Improve the Quality of Sexual Offender Treatment Outcome Research. 25th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Chicago, Illinois, September, 2006.
14. Keynote, Sexual Offender Treatment: A Forensic vs. human sexuality perspective. 2006 Annual Conference of the National Organization of Forensic Social Work, Chicago, Illinois, July, 2006.
15. Panelist, The public health approach to preventing sexual abuse perpetration: Primary and secondary perpetration prevention efforts, plenary at the 21st Annual Conference of the National Adolescent Perpetration Network, Atlanta, Georgia, April, 2006.
16. Chair, Roots of Sexual Abuse: An Empirical Investigation of Theories of Sexual Abuse and Aggression, a symposium at the 24th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Salt Lake City, Utah, November, 2005.
17. Presenter, Understanding Compulsive Sexual Behavior, a symposium at the 111th Annual Convention of the American Psychological Association, Toronto, Ontario, Canada, August, 2003.

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18. Plenary, Genes, hormones and sexual behavior. Sex offenders; issues to consider. Science and Cases in Neuro and Behavioral Genetics. Sponsored by the Einstein Institute for Science, Health and the Courts, Warrenton, VA, June 30-July 3, 1999.
19. Chair. Psychopathy: Assessment, Treatment and Reliability. 16th Annual Research and Treatment Conference, Association for the Treatment of Sexual Abusers, Arlington, VA, October 1997.

Invited Oral Presentations at Local and Regional Professional Meetings, Conferences, etc.

1. Presenter, Treatment of Juveniles with Sexual Behavior Problems. Dallas County Juvenile Department 13th Annual Conference, Dallas, Texas, May 2 and 3, 2013.
2. Keynote, Issues at the Digital Divide. 17th Annual Minnesota Association for the Treatment of Sexual Abusers (MnATSA) Conference, Minneapolis, MN, April 19, 2013.
3. Plenary, Normative Sexual Development and Behavior: Implications for Sex Offender Treatment and Supervision. Indiana Sex Offender Management and Monitoring Program Annual Training Conference, Indianapolis, IN, April 2012.
4. Presenter, Psychosexual Evaluations: Tools Employed and Information Provided. Minnesota Chapter of the Association of Family and Conciliation Court, Saint Paul, Minnesota, February 24, 2012.
5. Panelist, The Adam Walsh Act: Overview, issues, and implications for Minnesota. Annual Meeting of the Minnesota Association for the Treatment of Sexual Abusers, Brooklyn Park, Minnesota, April, 2008.
6. Panelist. State of the Art Assessment of Sexual Offenders Using Actuarial Tools. William Mitchell College of Law, St. Paul, Minnesota, November, 2002.
7. Chair and moderator. Adult Sex Offender Civil Commitments: Good Public Policy? 5th Annual Conference of the Minnesota Chapter of the Association for the Treatment of Sexual Abusers, Minnetonka, Minnesota, March, 2001
8. Dealing with Fantasy in Sex Offender Treatment. Clinical Practice Plenary at the 1999 Midcontinent Regional Conference of the Society for the Scientific Study of Sex, Madison, Wisconsin, May, 1999.
9. Does Sex Offender Treatment Work? Is the Glass Half Full or Empty? Plenary Session at the First Annual Conference of the Minnesota Chapter of the Association for the Treatment of Sexual Abusers, Minnetonka, Minnesota, April 1997.
10. Plenary, Assessment and Treatment of Sexual Aggression. Annual Meeting, Kansas Psychological Association, Kansas City, Kansas, October 1996.

Peer-reviewed Oral Presentations at Professional Meetings, Conferences, etc.

1. **Miner, M.H.**, MacDonald, A., Janssen, E., Swinburne Romine, R., Coleman, E. & Raymond, N. What is hypersexuality? An investigation of psychological mechanisms in Men who have Sex with Men. International Conference on Behavioral Addictions, Geneva, Switzerland, March 14-16, 2016.
2. **Miner, M.H.**, Swinburne Romine, R., Macdonald, III, A., Janssen, E., Patzelt, E., Raymond, N., Coleman, E., Strobel, C., & Person, A. Toward a conceptualization of hypersexuality: Preliminary cognitive and psychophysiological data. 2013 Annual Meeting of the Society for the Scientific Study of Sexuality, San Diego, California, November 2013.

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3. **Miner, M.H.**, & Powers, Sawyer, A. Treatment of adolescent boys: Recent findings from attachment theory and how they inform therapy. 30th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Toronto, Ontario, Canada, November 2011.
4. **Miner, M.H.** Frontal Lobe Abnormalities in Compulsive Sexual Behavior. 51st. Annual Meeting of the Society for Psychophysiological Research, Boston, MA., September 2011.
5. **Miner, M.H.** Swinburne Romine, R., & Sung, Y. Explaining adolescent sexual abuse of children. 29th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Phoenix Arizona, October 2010.
6. Swinburne Romine, R. & **Miner, M.H.** The structure of insecure attachment in adolescent males. 29th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Phoenix Arizona, October 2010.
7. **Miner, M.H.**, Swinburne Romine, R., Sung, Y., Berg, D., Robinson, B., Paldron, M.F., & Lewis-Dmello, A.K. Application of Attachment Theory to Understanding the Sexual Abuse of Children: A Study of Adolescent Males. International Family Violence and Child Victimization Research Conference, Portsmouth, New Hampshire, July 2010.
8. **Miner, M.H.**, Swinburne Romine, R., Sung, Y., Berg, D., Robinson, B., Paldron, M.F., & Lewis-Dmello, A.K. Application of Attachment Theory to Understanding the Sexual Abuse of Children: A Study of Adolescent Males. Brief Communication at 36th Annual Meeting of the International Academy of Sex Research, Prague, Czech Republic, July 2010.
9. **Miner, M.H.**, Swinburne Romine, R., Berg, D., Robinson, B., Netland, J., Paldron, M., & Helm C. Attachment anxiety, isolation, and inadequacy: Unique risk factors for sexual crimes against children or indications of an underlying internalizing disorder? Poster at the Thirty-fifth Annual Meeting of the International Academy of Sex Research, San Juan, Puerto Rico, August 2009.
10. **Miner, M.H.** Can the integrated model explain sexual crimes against children? Results of a study of adolescents. 27th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Atlanta, Georgia, October, 2008.
11. **Miner, M.H.** So, what does all this mean to me? Implications for Treatment, Prevention, and Public Policy. 26th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, California, October 31-November 3, 2007.
12. **Miner, M.H.**, Berg, D., Robinson, B., Romine, S.R., & Netland, J. An application of attachment theory to explaining child sexual abuse perpetration. Poster at Thirty-third annual meeting of the International Academy of Sex Research, Vancouver, British Columbia, Canada, August 2007.
13. Jacoby, S.M., Rosser, B.R.S., **Miner, M.H.**, Coleman, E., Hatfield, L.A., Horvath, K.J., & the Positive Connections Team. Sexual risk behavior, mental health, and social support in HIV-positive MSM in primary and secondary relationships. 18th Congress of the World Association for Sexual Health, Sydney, Australia, April, 2007.
14. **Miner, M.H.** & Center, B. Using randomized responding to measure sexual offending behavior. Annual Meeting of the American Society of Criminology, Los Angeles, California, November, 2006.
15. **Miner, M.H.**, Swinburne Romine, R., & Berg, D. Attachment style and social isolation: Preliminary analyses. 25th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Chicago, Illinois, September, 2006.

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16. Bockting, W., **Miner, M.**, Robinson, B., Rosser, B.R., & Coleman, E. HIV risk behavior among the U.S. transgender population. 32nd Annual Meeting of the International Academy of Sex Research, Amsterdam, The Netherlands, July, 2006.
17. **Miner, M.H.**, Swinburne-Romine, R., & Heacock, J. Adolescents who molest children: Juvenile delinquents or sexual deviants. American Psychology - Law Society 2004 Conference, Scottsdale, Arizona, March, 2004.
18. **Miner, M.H.** Understanding the adolescent sex offender: Attachment style and social isolation. 22nd Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, St. Louis, Missouri, October, 2003.
19. Bockting, W.O., **Miner, M.**, Robinson, B.E., Gurak, L., Raman, S., Gray, N., Rosser, B.R.S., Coleman, E. Use of the Internet to reach the U.S. Transgender population for HIV/STD prevention research. STD/HIV Prevention and the Internet Conference, Washington, DC. August, 2003.
20. Coleman, E., **Miner, M.**, Gurak, L., Bockting, W.O., Edwards, W., Konstan, J., Merino, C., Rosser, B.R.S. Security considerations in Internet studies: The Men's INternet Study. STD/HIV Prevention and the Internet Conference, Washington, DC. August, 2003.
21. Rosser, B.R.S., **Miner, M.H.**, Gurak, L., Bockting, W.O., Edwards, W., Konstan, J., Merino, C., Coleman, E. Researching Internet-mediated sex between men: the Men's INternet Study. STD/HIV Prevention and the Internet Conference, Washington, DC. August, 2003.
22. Rosser, B.R.S., Bockting, W.O., **Miner, M.H.**, Carballo-Diequez, A., Mazin, R., Ross, M.W., Konstan, J., Gurak, L., Edwards, W., Stanton, J., Coleman, E. High risk sexual behavior in Internet-mediated sexual liaisons between men: results of the Men's INternet Study. STD/HIV Prevention and the Internet Conference, Washington, DC. August, 2003.
23. Rosser, B.R.S., Konstan, J., Gurak, L., Bockting, W.O., **Miner, M.H.**, Ross, M.W., Carballo-Diequez, A., Mazin, R., Edwards, W., Stanton, J., Coleman, E. Recruiting high risk Latino MSM for Internet prevention research. STD/HIV Prevention and the Internet Conference, Washington, DC. August, 2003.
24. **Miner, M.H.** The unique correlates of child molesting: A preliminary analysis of adolescents. AP-LS 2002 Biennial Conference, Austin, Texas, March, 2002.
25. Berg, D. & **Miner, M.H.** The contribution of attachment theory to the understanding of juvenile sex offenders. 20th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Antonio, Texas, November, 2001
26. Munns, R.A. & **Miner, M.H.** Attitudes of adolescent sex offenders: Implications for treatment. 20th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Antonio, Texas, November, 2001
27. **Miner, M.H.** Effects of denial on risk for reoffending: Juvenile sex offenders. 19th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, California, November, 2000.
28. Robinson, B.E., Bockting, W., Rosser, B.R.S., **Miner, M.**, & Coleman, E. The sexual health model: A sexological approach to long-term HIV risk reduction. XIII International AIDS Conference, Durban, South Africa, July, 2000.
29. **Miner, M.H.** Can we identify the active ingredients in sex offender treatment? A preliminary correlational analysis. VI International Conference on the Treatment of Sex Offenders, Toronto, Ontario, Canada, May, 2000.

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30. **Miner, M.H.** Understanding recidivism: A study of serious juvenile sex offenders. 18th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Lake Buena Vista, Florida, September, 1999.
31. **Miner, M.H.**, Robinson, B., Bockting, W., Westover, B.J., & Uhl, G. HIV prevention targeting African American women: Community-university evaluation collaboration. 107th Annual Convention of the American Psychological Association, Boston, Massachusetts, August, 1999.
32. Robinson, B.E., Bockting, W.O., Brown-Barber, J., **Miner, M.H.** & Rosser, B.R.S. An innovative sexuality intervention targeting African-American women. 12th World AIDS Conference, Geneva, Switzerland, June 28-July 3, 1998.
33. **Miner, M.H.** Predictors of Sexual Abuse and Sexual Aggression: Adolescent Perpetrators. Joint AASECT/SSSS Meeting, Arlington, Virginia, November 1997.
34. **Miner, M.H.** & Petersen-Seikert, G. Predictors of Recidivism: Results of a Program for Adolescent Sex Offenders. 16th Annual Research and Treatment Conference, Association for the Treatment of Sexual Abusers. Arlington, Virginia, October 1997.
35. **Miner, M.H.** Are Sex Offenders Different from Other Delinquents? Results from Two Samples of Adolescent Sex Offenders. 12th Annual Conference of the National Adolescent Perpetrator Network, Minneapolis, March 31-April 2, 1996.
36. **Miner, M.H.** Adolescent Sex Offenders: Issues of Etiology, Risk Factors and Subgroups. 14th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, New Orleans, October 1995.
37. **Miner, M.H.** Indications of Pedophilic Tendencies in Adolescence. 4th International Conference: Treatment of Sex Offenders, Amsterdam, The Netherlands, September 1995.
38. **Miner, M.H.** & Dwyer, S.M. Psychosocial Development of Child Molesters and Exhibitionists. 13th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Francisco, November 1994.
39. **Miner, M.H.** & Dwyer, S.M. Analysis of Graduates and Dropouts from Outpatient Treatment. 12th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Boston, November 1993.
40. Nelson, C., Marques, J.K., **Miner, M.H.**, & Day, D.M. Effects of Treatment on Sex Offenders. National Conference on Sexual Compulsivity/Addiction, Minneapolis, May 1990.
41. **Miner, M.H.** & Day, D.M. Randomized Response in the Measurement of Criminal Behavior. Evaluation 89, The American Evaluation Association Annual Meeting, San Francisco, October 1989
42. Marques, J.K., Day, D.M., **Miner, M.H.**, Wilson, T.A., & Nelson, C. California's Experimental Test of Treatment: Preliminary Findings and Methodological Issues. Eighth Annual Meeting of the Association for the Behavioral Treatment of Sexual Abusers, Seattle, October 1989.
43. **Miner, M.H.**, Marques, J.K., Day, D.M., & Nelson, C. Impact of Relapse Prevention with Sex Offenders: Preliminary Findings. 97th Annual Convention of the American Psychological Association, New Orleans, August 1989.
44. Marques, J.K., Day, D.M., Wilson, T.A., **Miner, M.H.**, Nelson, C., & Murphy, J. Recent Developments in the Evaluation of Treatment Outcomes. Measures Used in California's Experimental Program Presentation at the Seventh Annual Research and Data Conference on Evaluation and Treatment of Sexual Abusers, Atlanta, September 1988.

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45. Murphy, J., **Miner, M.**, Nafpaktitis, M., Day, D., & Asselin, N. Development of the Social skills Assessment for Sex Offenders. 68th Annual Convention of the Western Psychological Association, Burlingame, California, April 28-May 1, 1988.
46. **Miner, M.H.**, Nafpaktitis, M.K., & Viesti, C., Jr. Attitudes of Mental Health and Law Enforcement Personnel: Effect on Prevention Efforts for Sexual Assault. Annual Convention of the California State Psychological Association, Coronado, California, February 1988.
47. McKinney, M.E., **Miner, M.H.**, Ruddel, H., McIlvain, H.E., Witte, H., Buell, J.C., Eliot, R.S., & Grant, L.B. Psychophysiological Stress Testing in the Work Environment, Including Noninvasive Determination of Stroke Volume. Breakdown in Human Adaptation-Cardiovascular Diseases, a Multi Annual Program of the European Economic Community, Verona, Italy, December 1986.
48. **Miner, M.H.**, Freedman, D., Hunter, S.M., & Berenson, G.S. Health Beliefs and Familial Smoking Patterns. Effects on Onset of Cigarette Smoking Among Children--Bogalusa Heart Study. Society of Behavioral Medicine Seventh Annual Meeting, San Francisco, March 1986.
49. McKinney, M.E., Ruddel, H., **Miner, M.H.**, McIlvain, H.E., Hofschire, P.J., Buell, J.C., & Eliot, R.S. Task Differences in Cardiovascular Reactivity and Comparison with Blood Pressure Changes During Low Level Exercise. Annual Meeting, Society for Psychophysiological Research, Houston, October 1985.
50. **Miner, M.H.**, McIlvain, H.E., McKinney, M.E., Witte, H., Ruddel, H., Buell, J.C., & Eliot, R.S. The Relationship of Type A, Anger in, and Psychometric Measures of Personality to Cardiovascular Response to Stress. Annual Meeting, Society for Psychophysiological Research, Houston, October 1985.
51. Arbeit, M.L., Frank, G.C., Nicklas, T.A., & **Miner, M.H.** Caffeine Intake Patterns Among Infants and Children in a Biracial Population--Bogalusa Heart Study. Annual Meeting, American Dietetic Association, New Orleans, October 1985.
52. Fitzpatrick, M.A., Frank, G.C., **Miner, M.**, & Berenson, G.S. Expanding the Role of Dietitians into School-based Programs to Reduce Cardiovascular Risk Factors of Children. Annual Meeting, American Dietetic Association, New Orleans, October 1985.
53. **Miner, M.H.**, McKinney, M.E., McIlvain, H., & Witte, H. Evaluation of Behavioral Interventions for Stress and Cardiovascular Disorders. Joint Conference of the Evaluation Network and the Evaluation Research Society, San Francisco, October 1984.
54. **Miner, M.H.** Costs, Benefits, and Ethical Considerations in Follow-up of Mental Health Patients. Joint Meeting of the Evaluation Network and Evaluation Research Society, Austin, Texas, September 30-October 3, 1981.
55. Richardson, P. & **Miner, M.** Violent and Accidental Deaths Among Four Cohorts of Alcohol Treatment Clients. National Alcohol and Drug Coalition Conference, Washington, D.C., September 1980.
56. **Miner, M.H.**, Lau, J.P., & Schuft, C. Turnover Among Staff in Alcohol and Drug Abuse Treatment Units. National Alcohol and Drug Coalition Conference, Washington, D.C., September 1980.
57. Richardson, P., **Miner, M.**, & Lau, J. Mortality Data on Four Cohorts of Alcohol Treatment Clients. 11th Annual Medical-Scientific Conference of the National Alcoholism Forum, Seattle, May 1980.

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Poster Abstract Presentations at Professional Meetings, Conferences, etc.

1. Swinburne Romine, R., Chase, A. C., & **Miner, M.H.** Normative and Deviant Sexual Behaviors: How are Juvenile Sexual Offenders Different? 30th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Toronto, November 2011.
2. Paldron, M & **Miner, M.H.** Effects of childhood abuse on measures of sexual and relationship adequacy. Poster at the 28th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Dallas, Tx, September 30-October 3, 2009.
3. Harries, J.E., Knight, R.A., & **Miner, M.H.** Using structural equation modeling to examine sexually coercive behavior in adolescent males. Poster at the 28th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Dallas, Tx, September 30-October 3, 2009.
4. Helm, C.A., Robinson, B., & **Miner, M.H.** The role of hostile masculinity and masculine adequacy in juvenile sex offenders. Poster at the 28th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Dallas, Tx, September 30-October 3, 2009.
5. O'Dell, B.L., Rosser, B.R.S., **Miner, M.H.**, & Jacoby, S.M. HIV prevention altruism and sexual risk behavior in HIV-positive men who have sex with men. Poster at the National HIV Prevention Conference, Atlanta, Georgia, December, 2007.
6. Netland, J. & **Miner, M.H.** Information about the caregiver environment and caregiver history of adolescent sex offenders. Poster at 26th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, California, October 31-November 3, 2007.
7. Rice, M. & **Miner, M.H.** Validity of digitally morphed stimuli in a phallometric assessment for child molesters. Poster at 26th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, California, October 31-November 3, 2007.
8. Swinburne Romine, R.E., & **Miner, M.H.** Scale refinement issues: What happens when scales written for adults are used with adolescents. Poster at 26th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, California, October 31-November 3, 2007.
9. **Miner, M.H.**, Swinburne Romine, R., Hoelsing, R., Robinson, B., Berg, D., & Raymond, N. Roots of sexual abuse: An empirical investigation of theories of sexual abuse. Poster at the 31st Annual Meeting of the International Academy of Sex Research, Ottawa, Ontario, Canada, July 2005.
10. Raymond, N.C., **Miner, M.H.**, Lloyd, M., Lim, K., & Coleman, E. Structural and diffusion tensor imaging of men with Compulsive Sexual Behavior. Poster at the 31st Annual Meeting of the International Academy of Sex Research, Ottawa, Ontario, Canada, July 2005.
11. **Miner, M.H.**, McKinney, M.E., Ruddel, H., Buell, J.C., Eliot, R.S., & Grant, L.B. Test-retest Reliability of a Mental Stress Paradigm Designed to Evoke Cardiovascular Reactivity. Annual Meeting, Society for Psychophysiology Research, Milwaukee, October 1984.
12. **Miner, M.H.**, Wiener, R., & McKinney, M.E. Involvement of Cognition in Cardiovascular Arousal During Mental Challenge. Annual Convention of the American Psychological Association, Toronto, August 1984.

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TEACHING AND CURRICULUM DEVELOPMENT**University of Minnesota****Colloquium/Grand Rounds**

Grand Rounds, Department of Family Medicine and Community Health, Is it OK to Deny Organ Transplant to a Registered Sex Offender?	11/2012
Grand Rounds, Department of Family Medicine and Community Health, Compulsive Sexual Behavior	3/2008
Grand Rounds, Department of Psychiatry. Factors Associated with Perpetration of Child Sexual Abuse: Preliminary Analysis in an Adolescent Population.	3/2002

Teaching Lectures/Seminars

Lecturer: IRB issues, Seminar for Family Medicine Research Fellows	2005
Small Group Leader, Medical School Human Sexuality Course	2002-Present
Lecturer: Behavioral Aspects of Diabetes Management, Smiley's Unit Behavioral Science Schoolhouse	1999
Course Director: Smiley's Unit Behavioral Science Schoolhouse	1999-2001
Lecturer: FPCH 5-950, Clinical Issues	1995-Present
Large Group Leader: Sexual Attitude Reassessment Seminar.	1994-2004
Lecturer, Behavioral Medicine/Psychology Noon Conferences, University Family Physicians, University Unit, September, 1996; November, 1996; February, 1997; April, 1997; June, 1997; November, 1997; February, 1998; April, 1998	1996-1998
Lecturer, Introduction to Family Medicine, University Family Physicians, University Unit	7/1996-7/1997
Course Director, Behavioral Medicine Case Conference, University Unit Inpatient Service. Weekly conference with residents on teaching service. Implemented in September, 1996	1996

Clinical Teaching

Family Practice Outpatient Precepting (Residents) One half-day per week	1996-2000
Family Practice Inpatient Precepting (Residents)	

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One half-day per week

1996-2001

Clinical Supervision - Postdoctoral Fellows

One hour per week

1997-Present

California Polytechnic State University**Course/Lecture List**

Course Instructor, Psy 0432, Psychological Testing (Graduate level course on Psychological Assessment)

1989

Cuesta College, California**Course/Lecture List**

Course Instructor, Psych 1A, Introduction to Psychology

1987

University of New Orleans**Course/Lecture List**

Course Instructor, EDDC 6450, Group Techniques and Dynamics in Counseling (Graduate course requirement for Master's in Counseling)

1985

St. Louis University**Course/Lecture List**

Teaching Assistant, Counseling Skills (Undergraduate course in beginning counseling skills)

1980

Teaching Assistant, Introduction to Psychology

1980

Other Universities/Institutions**Colloquium/Grand Rounds**

Forensic Psychology Seminar, University of Birmingham, UK, Understanding Perpetration of Child Sexual Abuse: Results from a Study of Adolescent Males.

6/2015

Grand Rounds, Department of Psychiatry, Division of Gender, Sexuality & Health, Columbia University, Inhibitory and Excitatory Mechanisms in Sexual Compulsivity: Are They Limited to Sex?

6/2013

Colloquium, Department of Psychology, Brandeis University, Parental Attachment, Peer Relationships, and Hypersexuality: Can They Help Explain Child Sexual Abuse.

9/2011

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Colloquium, Key Centre for Ethics, Law, Justice, and Governance, 4/2010
 School of Criminology, Griffith University, Brisbane, Queensland,
 Australia, Application of Attachment Theory to Understanding the
 Sexual Abuse of Children: A Study of Adolescent Males.

Colloquium, Department of Psychology, St. Louis University. 10/2001
 Factors Associated with Perpetration of Child Sexual Abuse:
 Preliminary Analysis in an Adolescent Population.

Workshops Taught

Psychophysiological Assessment of Sexual Interest: Strengths and 4/2016
 Weaknesses of Phallometry and Viewing Time. 20th Annual
 Conference of the Minnesota Chapter of the Association for the
 Treatment of Sexual Abusers, Brooklyn Park, Minnesota,
 April 13, 2016.

Understanding and Responding to Sexual Harm Perpetrated by Youth. 6/2015
 University of the West of England, Bristol, UK, June 11, 2015.

Putting the Sex in Sex Offender Treatment. Training supported by the 11/2014
 New York State Department of Mental Health, Buffalo, Utica, Albany,
 and New York City, New York, November 17-20, 2014.

Exploring the DSM-5: Implications and Applications for Sex 10/2014
 Offender Assessment and Treatment. Pre-conference workshop at the
 ATSA 33rd Annual Research and Treatment Conference, San Diego,
 California, October 29, 2014.

What We Know about Sexual Development, Sexual Behavior, and 4/2014
 Hypersexuality. Training supported by Alaska Department of
 Corrections and University of Alaska at Anchorage. Anchorage,
 Alaska, April 28, 2014.

How Attachment Theory Informs Understanding Sexual Offending: 4/2014
 Implications for Treatment. Training supported by Alaska Department
 of Corrections and University of Alaska at Anchorage. Anchorage,
 Alaska, April 27, 2014.

DSM-5: What's New, What's Not at the Annual Conference of the 4/2014
 Minnesota Chapter of the Association for the Treatment of Sexual
 Abusers, Brooklyn Park, Minnesota, April 25, 2014.

Ethical Dilemmas: Treatment and Assessment at the 13th Annual 5/2013
 Conference on the Treatment of Juveniles with Sexual Behavior
 Problems, Dallas, Texas, May 3, 2013.

Parental Factors and Attachment in Juvenile Sex Offenders at the 13th 5/2013
 Annual Conference on the Treatment of Juveniles with Sexual
 Behavior Problems, Dallas, Texas, May 3, 2013.

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Family Reunification: Issues and Concerns Regarding Victims at the 13 th Annual Conference on the Treatment of Juveniles with Sexual Behavior Problems, Dallas, Texas, May 2, 2013.	5/2013
Sexual Behavior and Development in Childhood and Adolescence: Norms, Obstacles, and Challenges at the 13 th Annual Conference on the Treatment of Juveniles with Sexual Behavior Problems, Dallas, Texas, May 2, 2013.	5/2013
Workshop: Issues at the Digital Divide: How Adults Use and View Computers, the Internet, and Cell Phones at the 17 th Annual Minnesota Association for the Treatment of Sexual Abusers (MnATSA) Conference, Minneapolis, MN, April 19, 2013.	4/2013
Workshop: An Empirically Guided Approach to Assessing and Treating Adolescents who Have committed Sexual Offenses at the 12 th International Conference of the Association for the Treatment of Sexual Offenders, Berlin, Germany.	9/2012
Workshop: How Attachment Theory Informs Treatment of Adolescent Males at the Annual Joint Meeting of the Massachusetts Adolescent Sex Offender Coalition/Massachusetts Chapter of the Association for the Treatment of Sexual Abusers, Marlborough, Massachusetts.	4/2012
Workshop: Adolescent Sex Offenders: Myths, Facts & Their Implications for Risk Assessment & Treatment, 15 th Annual International Conference on Violence, Abuse, and Trauma, September 14, 2010, San Diego, CA.	9/2010
Sex Offender Treatment: A forensic vs. Human Sexuality Perspective. 5 th Annual Clinical Forum on Mental Health, Bismarck, North Dakota.	5/2009
Adolescent Sexual Offenders: Myths, Facts, and Their Implications. 5 th Annual Clinical Forum on Mental Health, Bismarck, North Dakota.	5/2009
What Attachment Theory Tells Us about Unique Risks for Adolescent Boys to Sexually Offend. 23 rd Annual National Adolescent Perpetration Conference. Portland, Oregon.	5/2008
Adolescent Sexual Offenders: Myths, Facts, and Their Implications. 11 th Annual Training Conference, California Coalition on Sexual Offending. San Francisco, California.	5/2008
Parental Factors and Attachment in Juvenile Sexual Offenders. 12 th Annual Conference of the Minnesota Association for the Treatment of Sexual Offenders. Brooklyn Park, Minnesota.	4/2008
Research with Vulnerable Populations, Including Children, Adolescents, and Prisoners. 2007 Social, Behavioral, Education Research Conference, Public Responsibility in Medicine and Research, Broomfield, Colorado.	5/2007

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Communicating Concerns about Research Design to Investigators While Avoiding IRB Mission Creep. 2007 Social, Behavioral, Education Research Conference, Public Responsibility in Medicine and Research, Broomfield, Colorado.	5/2007
Sex Research and the IRB. 2006 Society for the Scientific Study of Sexuality Annual Meeting, Las Vegas, Nevada.	11/2006
Beyond Relapse Prevention: The Sexual Health Model in Sexual Offender Treatment. 9 th Conference of the International Association for the Treatment of Sexual Offenders, Hamburg, Germany.	9/2006
Adult Risk Assessment and Sex Offenders. 15 th Annual Minnesota Public Defender Conference, Brainerd, Minnesota.	10/2005
Is the Sky Falling? Results from California's Sex Offender Treatment and Evaluation Project. 9 th Annual Conference of the Minnesota Chapter of the Association for the Treatment of Sexual Abusers, Brooklyn Park, Minnesota.	4/2005
Are sexually abusive youth different? Implications for treatment and research. National Adolescent Perpetration Network, Cherry Hill, New Jersey	5/2003
Attachment in Adolescent Sex Offenders. 5 th Annual Conference of the Minnesota Chapter of the Association for the Treatment of Sexual Abusers, Minnetonka, Minnesota.	3/2001
The Effectiveness of a Positive Peer Culture-Based Treatment Model for Juvenile Sex Offenders. 3 rd Annual Conference of the Minnesota Chapter of the Association for the Treatment of Sexual Abusers, Minnetonka, Minnesota.	3/1999
Merging Qualitative Goal Definition with Quantitative Evaluation: A Semi-structured Protocol for Goal Definition Within Juvenile Corrections. Annual Meeting, American Evaluation Association, Atlanta.	11/1996
Sexual Development in Childhood and Adolescence: Norms, Obstacles, and Challenges. Fourth Annual Statewide Children's Mental Health Conference, Brooklyn Park, Minnesota.	5/1996
Parole and Probation Supervision of Sex Offenders: Identifying Risk and Minimizing Re-offense. Third International Congress on Treatment of Sex Offenders, Minneapolis.	9/1993
Sexuality, Intimacy and Quality of Life. Third Annual To Comfort Always: A Course on Palliative Care, Minneapolis.	12/1992
Assessment of Sexual Interest: Sadistic and Aggressive Content. 16th	3/1991

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Annual Conference of the Forensic Mental Health Association of California. Pacific Grove, California.

Sex Offender Treatment and Evaluation Project: Update on Treatment Approaches and Outcomes. 15th Annual Conference of the Forensic Mental Health Association of California, Pacific Grove, California. 3/1990

Some Relevant Psychological Characteristics of Those Who Victimize. 4th Annual Governor's Training Conference on Crime Victims, San Jose, California. 4/1987

Teaching Lectures/Seminars

Seminar, Issues at the Digital Divide 6/2015
St. Andrew's Healthcare, Birmingham, UK

Lecturer: Sex Offender Assessment, Law and Psychiatry Seminar, 9/2002
William Mitchell College of Law

ADVISING AND MENTORING

Graduate Student Activities

Graduate Student Advisor

Martin Lloyd (Department of Psychology), 2005-2008

Masters Thesis Committee Member or Reader (University of Minnesota)

Brennan O'Dell (Epidemiology), 2006, Committee Member
Glenna Petersen Seikert (Sociology), 2002, Committee Member
Margaret Berrisford (Occupational Therapy), 2000, Committee Member
Jennifer M. Gallus (Occupational Therapy), 1999, Committee Member

Doctoral Thesis Committee Member or Reader (University of Minnesota)

Gwendolyn Anderson (Social Work), 2014, Committee Member
Yoonhee Sung (Educational Psychology), 2013, Committee Member
Rebecca Swinburne Romine (Educational Psychology), 2011, Committee Member
Jason Netland (Educational Psychology), 2010, Committee Member
Scott Jacoby (Educational Psychology), 2009, Committee Member
Martin Lloyd (Psychology), 2008, Committee Member
Rae Hoesing (Educational Psychology), 2007, Committee Member
Cindy L.S. Crimmins (Sociology), 1999, Committee Member

Doctoral Thesis Committee Member or Reader (Other University)

Jane Harries (Brandeis University, Psychology) 2011, Committee Member
Ian Nesbet (Griffith University, Criminology), 2009, Examiner

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Post-doctoral fellows supervised

Jordan Rullo, Ph.D., (Human Sexuality) 2013
 Krista Nabar, Psy.D., (Human Sexuality) 2012
 Brad Nederostek, Psy.D. (Human Sexuality), 2012
 Sheena Hoffman, Psy.D. (Human Sexuality), 2011
 Eric Sprankle, Psy.D. (Human Sexuality), 2011
 Rae Hoesing, Ph.D. (Human Sexuality), 2009
 Deanna Carpenter, Ph.D. (Human Sexuality), 2005
 Amanda Powers, Psy.D. (Human Sexuality) 2004
 Brian Zamboni, Ph.D. (Human Sexuality), 2004
 Omar Minwalla, Psy.D. (Human Sexuality), 2004
 Amy Timm, Psy.D. (Human Sexuality), 2003
 Will Damon, Ph.D. (Human Sexuality), 2003
 Daniel Montaldi, Ph.D. (Human Sexuality), 2001
 Diane Berg, Ph.D. (Human Sexuality), 2001
 Michael Lavin, Ph.D. (Human Sexuality), 2001
 Chris Kraft, Ph.D. (Human Sexuality), 2000
 Rosemary Munns, Psy.D. (Human Sexuality), 2000
 Keith Abrams, Ph.D. (Human Sexuality), 1999
 Daniel Yanisch, Psy.D. (Human Sexuality), 1998

PROFESSIONAL SERVICE AND PUBLIC OUTREACH**Editorships/Journal Reviewer Experience****Editorial Boards**

<i>Archives of Sexual Behavior</i>	2012-Present
<i>Journal of Child Sexual Abuse</i>	2012-2014
<i>Sexual Abuse: A Journal of Research and Treatment</i>	2003-Present
<i>Cognitive and Behavioral Practice</i>	1996-1997

Guest Editor

Special Issue on Treatment of Sex Offenders, *Journal of Psychology and Human Sexuality*, 13 (3/4), 2001.

Special Issue on Treatment of Sex Offenders, *Journal of Psychology and Human Sexuality*, 11(3), 2000.

Special issue on Outcome Research, *Sexual Abuse: A Journal of Research and Treatment*, 9(2), 1997.

Editorial Consulting Boards

<i>International Journal of Sexual Health</i>	2007-Present
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Archives of Sexual Behavior 2006-2012

Journal of Psychology and Human Sexuality 1996-2006

Editor

Associate Editor, *Sexual Abuse: A Journal of Research and Treatment* 2010-Present

Editor in Chief, *Sex Offender Treatment* 2005-2010

The Forum, Newsletter of the Association for Treatment of Sexual Abusers 1999-2002

Ad Hoc Reviewer

Assessment 2014

Journal of Sex Research 2011-present

Psychology, Crime, and Law 2010

American Journal of Public Health 2010

AIDS and Behavior 2009

Analysis of Social Issues and Public Policy 2007

Psychology, Public Policy & Law 2007-2009

International Journal of Offender Therapy and Comparative Criminology 2006-2008

Child Maltreatment 2006, 2007

American Journal of Orthopsychiatry 2006

LGBT Health Research 2006, 2007

Journal of Abnormal Psychology 2005-2012

Journal of Consulting and Clinical Psychology 2004-2012

AIDS Care 2001

Sexual Abuse: A Journal of Research and Treatment 1999, 2001

Review panels for external funding agencies, foundations, etc.

University of Ottawa Medical Research Fund 8/2014

Law and Social Sciences Program, National Science Foundation 4/2014

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Grants for Violence Related Injury Research, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention	4/2012
Law and Social Sciences Program, National Science Foundation	3/2011
Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice	10/2007
Social Science and Humanities Research Council of Canada	12/2006
B-START awards, National Institute of Mental Health, National Institutes of Health	2006-Present
Grants for Violence Related Injury Research, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention	4/2005
Special Interest Projects (SIPs), Prevention Research Centers Office, Centers for Disease Control and Prevention	7/1999
Sex Offender Programming Grants, Minnesota Department of Corrections	1994-1996

Organization of conferences, workshops, panels, symposia

International Association for Treatment of Sex Offenders Organization:	
Member, Scientific Advisory Committee, 8 th International Conference on Treatment of Sex Offenders	10/2004
Member, Scientific Committee, 7 th International Conference on Treatment of Sex Offenders	9/2002
Scientific Chair, 6 th International Conference on Treatment of Sex Offenders	5/2000
Association for the Treatment of Sexual Abusers Organization:	
Member, Annual Research and Treatment Conference Planning Committee	2005
Chair, Annual Research and Treatment Conference	2004
Association for Behavioral and Cognitive Therapies Organization:	
Program Committee, Annual Convention	1992
Minnesota Chapter: Association for the Treatment of Sexual Abusers Organization:	
Member, 2001 Conference Planning Committee	2005-2008

Committee memberships

Member, Treatment and Assessment Workgroup, Minnesota Department of Corrections	2005-2007
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Member, Stop It Now Advisory Committee	2001-2006
Member, Expert Panel on Sexual Violence and its Prevention. Minnesota Department of Health	2000
Member, Advisory Task Force for the Community-based Sex Offender Treatment Evaluation Project, Minnesota Department of Corrections	1993-1996
International Association for Treatment of Sex Offenders Committee Memberships:	
Member, Organizing Committee	
Association for the Treatment of Sexual Abusers Committee Memberships:	
Chair, Education and Training Committee	2007-2012
Chair, Ad Hoc sub-committee to develop research criteria for the ATSA Collaborative Outcome Study	2001-2003
Member, Education and Training Committee	1993-1997
Association of Teachers of Preventive Medicine Committee Memberships:	
Member, Communication Committee	1998
American Heart Association Committee Memberships:	
<i>San Luis Obispo Division:</i>	
Chairman, Heart Treasure Chest Task Force	1987
Member, Heart At Work Task Force	1987
<i>California Affiliate:</i>	
Member, Program Committee	1987

Service to the University/Medical School/Department**University of Minnesota****University-wide service**

Chair, Social Science Panel (03), Institutional Review Board: Committee for the Protection of Human Subjects	2004-2012
Member, Institutional Review Board: Committee for the Protection of Human Subjects	1995-2012

Department/Unit Service

Research Director, Program in Human Sexuality	2013-Present
Coordinator, Forensic Assessment, Program in Human Sexuality	2008-Present
Member, Merit Review Committee	2000-2002
Coordinator, Behavioral Sciences, University Family Physicians, Smiley's Unit	1998-2001

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Coordinator, Sex Offender Treatment, Program in Human Sexuality	1997-2008
Member, Computer Committee, Department of Family Practice and Community Health	1995-1996

EXHIBIT B

EXHIBIT 5

Chief Chris Magnus Declaration

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Case No. 1:16-cv-425

STATE OF NORTH CAROLINA;)

PATRICK MCCRORY, in his official)

capacity as Governor of North Carolina;)

NORTH CAROLINA DEPARTMENT)

OF PUBLIC SAFETY; UNIVERSITY)

OF NORTH CAROLINA; and BOARD)

OF GOVERNORS OF THE)

UNIVERSITY OF NORTH CAROLINA,)

Defendants,)

STATE OF NORTH CAROLINA;)

PATRICK MCCRORY, in his official)

capacity as Governor of North Carolina;)

NORTH CAROLINA DEPARTMENT)

OF PUBLIC SAFETY,)

Counterclaim Plaintiffs,)

v.)

UNITED STATES OF AMERICA,)

Counterclaim Defendant.)

EXPERT DECLARATION AND REPORT OF CHRIS MAGNUS

1. I have been retained by counsel for the United States as an expert in connection with the above-captioned litigation. I have actual knowledge of the matters stated in this declaration.
2. I have been asked by counsel for the United States to review and assess the expert declarations of Kenneth Lanning and Tim Hutchison, expert witnesses for the defendants. In particular, I was asked by counsel to rely on my decades of experience in law enforcement to review and comment on the opinions offered by Mr. Lanning and Mr. Hutchison that suggest that there is a public safety risk associated with non-discrimination protections that allow individuals to use restrooms and changing facilities that are consistent with their gender identity.
3. My opinions are offered in response to the conclusions being offered by Mr. Lanning and Mr. Hutchison that there are risks to public safety created by allowing individuals to access restrooms and changing facilities consistent with their gender identity, and that North Carolina's Public Facilities Privacy and Security Act ("HB2") is a solution to those risks. I have reached my opinions by applying my expertise in law enforcement and community policing to the facts and assumptions relied upon by Mr. Lanning and Mr. Hutchison.
4. I am being compensated at a rate of \$200 per hour for my work in this case and my compensation does not depend in any way on the outcome of this case. I will be compensated at the same rate if I am asked to testify at deposition or trial.

Background and Qualifications

5. I am currently the Chief of Police in Tucson, Arizona (pop. 550,000). I have been involved in public safety work since 1979, with jobs as varied as 911 Center Emergency Dispatcher, Paramedic, Deputy Sheriff, Police Officer, Detective, Sergeant, Lieutenant, Captain, and Police Chief. I have worked a wide range of assignments, including patrol, policy development and grant writing, narcotics, field training officer and supervisor, investigations, internal affairs, administrative services, and many others. My *curriculum vitae* (CV), which contains a list of my publications and professional experience is attached as Exhibit 1 to this declaration.
6. I have spent the past 17 years of my career as a police chief in several cities. In the course of my work as an officer and a detective, I investigated and prepared cases related to a wide range of sex and other crimes. I testified in both civil and criminal court proceedings as a lead investigator and witness. I was also closely

involved with agencies that serve victims of sex crimes. I played a key role in establishing the Family Justice Center in Richmond, California and the Red River Children's Advocacy Center for Fargo, North Dakota/Moorhead, Minnesota. I served for several years as President of the Board of Directors for the Child Advocacy Centers of California (a statewide network of centers that provide services for, and conduct forensic interviews of, sexually abused children).

7. I have a Bachelor's Degree in Criminal Justice and a Master's Degree in Labor Relations from Michigan State University (East Lansing, Michigan). I also attended the Harvard Kennedy School's *Senior Executives in State and Local Government* program. I successfully completed both the Emergency Medical Technician (EMT) and Advanced EMT (Paramedic) program at Lansing Community College and was a licensed paramedic for over 10 years in Michigan. I was a college instructor in criminal justice at Lansing Community College and at North Dakota State University. I have guest lectured on community policing at Michigan State University and at the University of California (Berkeley). I attended a variety of training programs related to sex crime investigations; child sexual abuse; providing services for victims of sexual assaults; community policing; collecting, analyzing, and disseminating crime data; and many other related topics.
8. I have extensively interacted and assisted victims of sexual assault in the field as a first responder, investigator, and police executive involved in developing agency training, department policies, and investigative protocols. For example, in Lansing, Michigan, I developed the community's first sex-offender classification and notification process, which included implementation of a process for officers to conduct regular checks on sex offenders. I also developed the "Level III Sex Offender" community notification process in Fargo, North Dakota. I have also worked extensively with survivors of sexual assault as a member of, liaison to, and board member for several agencies/service providers that focused specifically on meeting the needs of this population. In Lansing, Michigan, these included the Council Against Domestic Assault; in Fargo, North Dakota, these included the Rape and Abuse Crisis Center and the Red River Children's Advocacy Center; in Richmond, California, these included Community Violence Solutions, STAND! For Families Free of Violence, the Contra Costa County Family Justice Center Network, and the Contra Costa County Zero Tolerance for Domestic and Sexual Violence Initiative; and in Tucson, Arizona, these includes the Emerge! Center.
9. I served from 2003-2005 on the Red River Children's Advocacy Center in Fargo, North Dakota. I served from 2009-2014 as a Board of Directors member for the West County Family Justice Center in Richmond, California. I served as a Board of Directors member, then President, of the Board of Directors for the Child Advocacy Centers of California. I served from 2007 to 2016 on the Board of

Directors for the Contra Costa County (CA) Zero Tolerance for Domestic and Sexual Violence Initiative.

10. I was the recipient of the STAND! For Families Free of Violence 2014 *Rollie Mullens Award* for my work to end domestic and sexual violence in Richmond, California.
11. I have worked extensively with the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS) and Civil Rights Division to improve police agencies and policing services in multiple cities across the country, including Ferguson, Missouri; Seattle, Washington; Baltimore, Maryland; Salinas, California; Pasco, Washington; Calexico, California; Fayetteville, North Carolina; and Chicago, Illinois. This work has included evaluating policies, analyzing investigations and training, and providing specific training in community policing best practices and data-driven policing strategies.
12. I am a member of the Board of Directors of Police Executive Research Forum (PERF), a national police research and policy organization. I have also served on several committees and advisory boards for the International Association of Chiefs of Police (IACP). I currently represent Tucson with the Major Cities Chiefs Association (MCCA).
13. In 2015, I testified before the *President's 21st Century Policing Task Force* on best practices related to community policing and building trust with communities. In Tucson, where I'm currently the Police Chief, our department has been selected as a model agency for 21st Century Policing by the White House.
14. I am actively involved in the White House Open Data Initiative and Center for Police Equity's data-driven policing initiative. Both the Richmond (CA) Police Department and the Tucson (AZ) Police Department have been active in these efforts through my leadership.
15. I have been interviewed regarding issues related to COMPSTAT (a dynamic police management tool, which I discuss in detail below), data-driven policing, community policing best practices, policing diverse communities, prevention of sexual and domestic assault crimes, dynamics of sexual and domestic assault, sexual assaults involving children, use of force by police officers, and many other law enforcement topics by NBC, CNN, National Public Radio, Al Jazeera, the Associated Press, *USA Today*, *New York Times*, *Wall Street Journal*, *Los Angeles Times*, *San Francisco Chronicle*, *Contra Costa Times*, *Arizona Star*, as well as many other media outlets.

Summary of Opinion

16. No matter what gender marker is listed on a person's birth certificate, or the gender with which a person identifies, individuals who use public accommodations, including restrooms and changing facilities, for nefarious or illegal purposes can already, under well-established existing state and local laws, be required to leave such facilities, or even arrested, if their intent (as demonstrated through their behavior) reflects criminal misconduct. HB2 is an unnecessary response to deal with something law enforcement already has the tools to handle.

17. Without question, there have been, and will always be, isolated instances of law-breaking that involves individuals entering public or private accommodations intended for women. On one end of the spectrum, such conduct may include high school- and/or college-age young people committing "pranks" or acting out "dares;" the other end of the spectrum may involve individuals who enter such facilities due to mental illness or with nefarious intentions. Existing laws and policies, including various trespassing and/or other "disorderly" statutes or campus regulations, are typically adequate to deal with this conduct. Any person, including an individual "falsely" representing themselves as transgender, could be found in violation of the same California Penal Code Section based on their conduct, intent, warnings they were given. Every case of this kind is different and would ultimately need to be evaluated by a prosecutor based on the particular fact pattern and circumstances. When conduct of this kind is committed by known sex-offenders (e.g., voyeurs, rapists, molesters) and/or the behavior is more calculated, predatory, or even assaultive, law enforcement personnel are usually able to draw on the individual's criminal history and prior law enforcement contacts as part of a comprehensive investigation (which also includes interviews and/or interrogation) to assure that appropriate charging and prosecutorial decisions are made.

18. Transgender individuals, like the majority of the public who use public accommodations, are seeking—first and foremost—a place to relieve themselves, not to "display" themselves. Even in co-ed restrooms or similar facilities (which are becoming more common in many public and private college living spaces and workplaces throughout the country), users typically behave in a manner consistent with personal privacy interests. People, regardless of their gender or gender identity, who conduct themselves in a manner more consistent with exhibitionism, voyeurism, disorderly, or criminal conduct in *any* restroom, locker-room, or similar setting, can—and most likely would—be reported to law enforcement or other officials and could be the focus of bona fide police investigations with meaningful criminal justice system consequences. Gender identity based

accommodation policies do not protect unlawful behavior (such as exhibitionism). Potential crimes of this type could be assessed and addressed through comprehensive law enforcement investigations. Such investigations would likely include suspect interviews, witness statements, background checks (including prior police contacts), and other steps determined on a case-by-case basis.

19. The notion that restricting access to public accommodation settings for an entire class of persons (such as those who have a gender identity different than the gender they were assigned at birth) based on the fear that their right to access facilities might enable a tiny subgroup of individuals, who could falsely represent their gender identity with nefarious intent in order to “more easily” commit crimes is ill-conceived criminal justice policy. Instead of limiting access based on gender identity, police are viewed as more legitimate by the community and are more effective in enforcing laws when they address actual *behavior* or *conduct* that compromises the safety of others, regardless of who the perpetrator is.

There is No Evidence that Polices Permitting Individuals to Use Restrooms and Changing Facilities Consistent with Their Gender Identity Have Led To An Increase In Criminal Activity

20. I have been involved in law enforcement for nearly four decades, including 17 years as a police chief in several cities across the United States, and throughout that experience polices that permit individuals to use restrooms and changing facilities consistent with their gender identity—referred to Mr. Lanning and Mr. Hutchison as “gender identity based accommodations policies (GIBAPs)”—have never been identified as a problem for law enforcement, or a contributing factor to crime in public accommodations, during any of the crime-related discussions I have been part of or that I am aware of having taken place.
21. California is one of 17 states that prohibits discrimination based on gender identity. As a result, throughout California transgender individuals can use restrooms, changing facilities, and similar locations consistent with their gender identity. Throughout my experience as a Chief of Police for 10 years in a busy, diverse California city (Richmond); as a member the California Police Chiefs Association; as a member of the Contra Costa County Police Chiefs Association; and as both a member and past Chair of the West Contra Costa County Police Chiefs Association, these gender identity anti-discrimination protections and the ability of individuals to use restrooms and changing facilities consistent with their gender identity has never been identified, raised, or discussed as a public safety concern. Gender identity is also protected in Lansing, Michigan (where I worked as a police officer coming up through the ranks from officer to captain for over 15 years) and in Tucson, Arizona (where I am currently Police Chief). In both these communities, based on my experience and knowledge, polices that permit

individuals to use restrooms and changing facilities consistent with their gender identity have not been identified as a law enforcement problem or contributing factor to crime in public accommodations, or to crime in general.

22. I have worked as a Police Chief in three communities (Fargo, North Dakota; Richmond, California; and Tucson, Arizona). Richmond and Tucson had policies that permit individuals to use restrooms and changing facilities consistent with their gender identity during my tenure with those cities; Fargo did not. I also worked as a deputy sheriff/police officer in two other jurisdictions (Livingston County, Michigan and Lansing, Michigan) which did not have comprehensive policies that permit individuals to use restrooms and changing facilities consistent with their gender identity when I worked there, although Lansing now does. There was no difference that I observed or ever became aware of regarding the prevalence of sex offenses related to these policies, including any offenders claiming to be transgender as a "defense" for criminal behavior in any of these jurisdictions regardless of whether policies that permit individuals to use restrooms and changing facilities consistent with their gender identity were in place or not.
23. I am a member of, and have been actively involved in, a number of leading state and national policing organizations, including but not limited to, PERF, for which I currently sit on the Board of Directors; IACP; MCCA; and the California Police Chiefs Association (CPCA). These organizations focus their work, discussions, and training on criminal justice and law enforcement priorities, including a range of federal, state, and local policing issues that their members identify as important. Efforts to better understand, prevent, investigate, and assure successful prosecution of sex crimes has historically been, and continues to be, a major concern of law enforcement leaders across the country. Many members of these police organizations come from jurisdictions with gender identity protections (some over a decade old), while others come from jurisdictions without such protections. Despite the fact that there have been many discussions about preventing, investigating, and prosecuting sex offenses sponsored by these organizations, the issue of sex offenders taking advantage of gender identity protections has never, to my knowledge, been raised during these discussions. I am unaware of any workshops, trainings, policy-development working groups, or initiatives within these organizations that have suggested that policies that permit individuals to use restrooms and changing facilities consistent with their gender identity raise a public safety concern or priority.

Data-driven Policing/COMPSTAT versus Speculatory or Anecdotal-Based Policing

24. The conclusion that policies that permit individuals to use restrooms and changing facilities consistent with their gender identity are not a public safety concern is also supported by data and crime statistics.

25. There is an expectation in most communities that the police will focus their law enforcement strategies, prevention initiatives, and investigative resources on priorities that are based on analytical data and public feedback. For this reason, a significant number of police agencies, especially those serving larger cities, utilize a COMPSTAT—short for “COMPUter STATistics”—or similar process to prioritize their work and hold their personnel accountable for outcomes.
26. COMPSTAT involves the ongoing collection, analysis, and sharing of computerized statistical and other analytical data (typically which includes crime data, calls for service, community requests/concerns, and similar types of information) through regular reports, ongoing discussions, and monthly (or more frequent) meetings. Such efforts are then tracked over time, with benchmarks established for crime reduction, as well as other indicia of public safety progress. COMPSTAT assessment processes are often linked to police staffing levels, funding decisions, and personnel assignments. I have led or played a key role in COMPSTAT processes within several different law enforcement agencies. I have also advised other agencies about COMPSTAT (including how to set up COMPSTAT programs), sat in or participated in various police department COMPSTAT meetings, and examined COMPSTAT data for multiple jurisdictions.
27. Without question, the challenges associated with preventing, responding to, investigating, and solving a range of sex-related offenses, such as rape, child molestation, human trafficking, and prostitution have all been addressed through the various COMPSTAT processes I have been part of. Yet I have never seen any COMPSTAT data showing a pattern, trend, or even meaningful anecdotal collection of incidents that suggests non-transgender male sex offenders or transgender individuals are compromising public safety in public accommodation settings (including in communities with or without policies that permit individuals to use restrooms and changing facilities consistent with their gender identity). This has also never come up in any of the discussions or problem-solving work I have been part of in a COMPSTAT process.
28. Law enforcement leaders are expected to engage in thoughtful planning around potential future risks to public safety, to monitor how changes to various laws and shifts in social norms might impact crime, and to assess what issues are generating fear or concern among the members of their communities. One of the purposes of a viable COMPSTAT model, however, is to assure the commitment of law enforcement resources, as well as the feedback/input from police leaders to legislators and the courts about proposed laws and policies, is tied to real public safety needs and data rather than sheer speculation or political motives. There are ample examples from the past, such as the practice of racial profiling, that demonstrate how the speculative judgment of law enforcement officials or self-

proclaimed experts, backed up by anecdotal evidence and an over-reliance on what they frequently refer to as “common sense” rather than solid data, has led to laws and practices that have significantly harmed individuals in this country, including racial minorities, gays and lesbians, and others.

29. HB2 is a present-day example of such a law. To my knowledge there was no data, let alone good data, supporting the need for HB2. Indeed, it is worth noting that neither Mr. Lanning nor Sheriff Hutchison mention any actual data relied upon by those involved in passing HB2. Nor do they mention any discussions between those involved in passing HB2 and law enforcement to determine the actual need for HB2 based upon real world data and experience. As the chief of a major metropolitan police department, I would expect that legislators in my jurisdiction would seek my input prior to implementing a broad measure intended to promote public safety.

Enforcement, Training, and Resource Issues Associated with HB2 and Similar Laws

30. Provisions like North Carolina’s HB2, ostensibly designed to protect women and children from sexual predators in public accommodations, (see Defendants’ Opposition to Motion for Preliminary Injunction at 1 (8/17/2016)), are based on speculative public safety risks and lack requisite data. Such laws are therefore completely unhelpful to the law enforcement community. According to Mr. Lanning and Mr. Hutchison, the purported rationale behind HB2 is that policies that permit individuals to use restrooms and changing facilities consistent with their gender identity contribute to increased criminal activity and/or victimization. As such, laws like HB2 rest upon the unproven notion that such legislation will facilitate prevention and greater reporting of crime to the police. However, laws like HB2 actually *detract from policing best practices*. Best policing practices focus on real community needs and actual crime patterns, rather than speculative fears. When public attention and limited criminal justice resources are redirected towards essentially non-existent problems or manufactured fears, real victims of crime suffer and legitimate efforts around prevention/public education are impeded.
31. Efforts to enforce laws that prohibit transgender persons from public accommodations associated with their gender identity are virtually unenforceable and would come at a great social and financial cost if they were attempted to be enforced. It is entirely impractical for police officers to check birth certificates in or around public restrooms/changing facilities or other public accommodations. No police agency has, or would want to devote, the resources necessary to proactively check the “credentials” (should they even be carried) of individuals intending to use public accommodations. So far, police departments throughout North Carolina, including Raleigh and Asheville, have expressed bewilderment

and uncertainty about what enforcement of HB2 would even look like. Mark Abadi, *Police officers have no idea how to enforce North Carolina's new "bathroom law,"* Business Insider, April 7 2016, <http://www.businessinsider.com/nc-police-dont-know-how-to-enforce-hb2-2016-4>; *North Carolina police say they can't enforce transgender bathroom law,* National Public Radio, May 10, 2016, <http://www.npr.org/2016/05/10/477529266/north-carolina-police-struggle-to-enforce-transgender-bathroom-law>; Amanda Lamb, *Enforcing HB2 bathroom rule a low priority,* WRAL.com, April 26, 2016, <http://www.wral.com/enforcing-hb2-bathroom-rule-a-low-priority/15666073/>.

32. In addition, because the HB2 is limited to only a segment of facilities in North Carolina (i.e., public restrooms and changing facilities), other private accommodation facilities—of which there are likely many more within the State of North Carolina—are not covered, which presents its own enforcement challenges, especially since “intent” is often a key element in sex offenses (in this case, an individual’s specific knowledge and intent that he or she was in a *public* accommodation).
33. Training resources for police officers are already limited in most jurisdictions. Police officer training typically requires an approved curriculum (generally approval for which must come through the state’s Peace Officer Standards and Training board or similar body). In addition, law enforcement agencies must have trained instructors who are able to provide the training, answer questions, and explain to officers how expectations for enforcing new laws should be incorporated into existing their work activities. Police officer training also comes at a cost. Training police officers typically requires officers spend time away from their normal duties or assignments, which therefore necessitates either additional staffing or the expenditure of overtime pay. Proper training for officers to enforce laws like HB2 would require the following issues, among others, to be addressed:
 - a. The exact steps that should be taken if an individual is identified as being in a gender-inappropriate public accommodation;
 - b. How to handle a complaint or possible violation if the “suspect” or person in question does not have a birth certificate in his/her possession;
 - c. When a complaint is received, should officers require all individuals within a public accommodations setting to produce their birth certificates to avoid claims of bias or profiling?;
 - d. How to avoid interactions with members of the public that could lead to claims of bias or police harassment associated with possible HB2 violations

due to the “suspect” or person in question (being present, for example, in a women’s restroom) simply “looking masculine” or having a deep voice, which causes someone to make a complaint that the police are then called to investigate;

- e. How to handle complaints involving transgender persons in the process of transitioning who may not have fully completed the process at the time of the interaction;
- f. How to avoid complaints against the law enforcement agency, or claims against the jurisdiction, in the course of enforcing the law or responding to complaints related to the law;
- g. The types of information or education that should be provided to the public on how to interact with possible persons in question or “suspects” within, or who may be using, public accommodations, and when to call or contact the police;
- h. How to answer the question(s) that members of the public, including transgender individuals, might have about the law, including what constitutes a violation of the law, whether or not they need to carry a birth certificate with them at all times to use public accommodations, what constitutes a public versus a “non-public” accommodation under the law, what the penalties are for violating the law, and how officers will distinguish between permitted and non-permitted users of accommodations specified for different genders;
- i. If it is necessary to show criminal intent on the part of a “suspect” or person in question, what behavior or conduct would demonstrate such intent for legal purposes, and how should such information be documented in a police report;
- j. How to accurately and consistently identify the sex marker on an individual’s birth certificate, especially when birth certificates from state to state can look entirely different; and
- k. Whether physical arrests for this crime should be made when the crime (a misdemeanor) is committed in the officer’s presence, or if the officer should seek a warrant against the suspect and release them following an investigation.

HB2: A Solution Looking for a Problem

34. While it is speculative that the adoption of non-discrimination protections for transgender individuals in terms of access to public accommodations could influence the actions of some negligible number of sex predators, law enforcement agencies already have a variety of tools at their disposal for dealing with these situations or any other related risks that could arise. Examples of this include laws against indecent exposure, lewd acts, trespassing, breaking and entering, disorderly conduct, loitering, harassment, misuse of a public restroom, peeping (or similar statutes), statutory rape, and other existing crimes.
35. In the cities where I have worked, police attention to public restrooms has been based primarily on circumstances involving consensual sexual activity between adults, such as prostitution or individuals engaging in anonymous sex acts with each other. Incidents involving individuals representing themselves as transgender to gain access to public restrooms for criminal purposes have simply not occurred. In all the meetings, professional discussions, police conference workshops, specialized law enforcement training, and other public safety forums I have participated in, I have never heard my public safety colleagues—or, for that matter, any members of the public—express concern about sexual predators “posing” or otherwise representing themselves as transgender to gain access to public accommodations in order to commit sexual assaults or other sex offenses.
36. Law enforcement agencies regularly need to address situations and circumstances where there is underreporting of various crimes, where victims are underage, and/or where offenders may be difficult to identify and apprehend. We have developed a number of strategies to address these challenges, including targeted public education campaigns (such as in schools and on college campuses); creating liaison positions within our agencies to connect with high-risk populations to build trust and create pathways for reporting crimes; building the strongest possible relationships with rape and abuse crisis centers, family justice centers and children’s advocacy centers; sending our personnel to specialized training programs that improve their skills and abilities to engage with reluctant victims and assault survivors; and more. The declarations provided by Mr. Lanning and Mr. Hutchinson seem to underestimate the adaptability and responsiveness of law enforcement agencies to work with victims, destigmatize the reporting of crime, and increase public awareness.
37. Increasingly, law enforcement agencies are using community policing models, which allow them to work closely with at-risk populations, crime victims, and other segments of the community who need more resources or support. Such models can be particularly effective in dealing with offenses that are more sensitive, such as sex offenses or hate crimes. HB2 and similar laws run counter to good community policing practices which are based on the concept of proportionality. There is an ongoing need in most communities to “balance

harms.” In other words, it is a poor strategy to set up a “dragnet” for everyone in a city based on the idea that it may enable the apprehension of someone with malicious intent. By establishing laws like HB2, law enforcement agencies could undermine their relationship with relevant constituencies, such as the lesbian, gay, bisexual, and transgender (LGBT) communities.

38. It is actually members of the transgender community who seem to be especially at risk when it comes to harassment, bullying, or assault crimes in public accommodation settings. In meetings or other forums involving transgender individuals, I have heard repeated concerns about hate crime victimization, underreporting of crimes, and frustration with law enforcement response/sensitivity to the transgender community in general. An increasing number of law enforcement agencies are now providing their officers with specialized training to do better outreach and response to transgender members of the public. In addition, Seattle (Washington) and Tucson (Arizona) are among a number of communities that have introduced “Safe Place” or similar programs for LGBT individuals. In these programs, “Safe Place” signage is displayed by local supporting community members, businesses, schools and organizations that work closely with the local police department in an effort to reduce anti-LGBT crimes, reduce LGBT student bullying, and encourage the reporting of LGBT crimes. These are also locations supporting safe and secure places for victims of anti-LGBT crimes and harassment. Calling 911 and waiting for police to respond is essential for holding suspects accountable and reducing hate crimes and harassment in general. If law enforcement’s relationship with the transgender community is strained, it often detracts from that community’s willingness to use 911 or otherwise contact law enforcement to report crimes.
39. Meaningful community policing practices involve *working with the community* to address problems that community members help identify as significant public safety concerns. For example, if a community were to identify that public accommodations were perceived as unsafe or were a haven for illegal/criminal activity, then the law enforcement agency could take steps that might include:
 - a. Increasing patrols around those locations;
 - b. Improving the lighting, signage, other CEPTED (Crime Prevention Through Environmental Design) factors, and CCTV (cameras) around the facilities;
 - c. Involving other city employees (such as Parks or Recreation department workers) to step up their presence at these locations;

- d. Increasing public education about personal security related to using such accommodations and about sexual assault awareness in general;
- e. Enlisting the help of local community groups to encourage cooperation in discouraging the use of such facilities in an unlawful manner; and
- f. Involving local residents and reaching out to stakeholders to identify other solutions to address these concerns.

Unintended Consequences of HB2 and Similar Laws

40. I am concerned that HB2 will have the unintended consequence of making people more afraid of interactions with the police and less likely to report crimes. Two scenarios in particular are a source of concern:
41. The first involves transgender members of the public who have a long history of being targeted for assaults and other hate crimes. There is data from the U.S. Department of Justice's Office of Justice Programs indicating that as many as 1 in 2 transgender individuals have been a victim of sexual abuse or assault at some time in their lives. U.S. Department of Justice, Office of Justice of Programs, Office for Victims of Crime, *2015 OVC Report to the Nation*, <http://ojp.gov/ovc/pubs/reporttonation2015/reaching-all-victims.html#19>. I believe that laws like HB2 will result in making many transgender individuals less likely to report being the victims of a crime, especially if those crimes happened in a public accommodations setting, since they will likely fear that *they* will be the ones investigated for violating the law.
42. The second involves *any* member of the public who might be assaulted or harassed in a public accommodations setting who would be less likely to step forward because of concerns they have about being subjected to additional scrutiny, questioning, and/or potential controversy based on this law. While this is especially a concern for transgender individuals who already have a high rate of victimization in public accommodations—recent research shows that seventy percent of transgender people have been attacked, harassed or denied access to a bathroom (Jody Herman, *Gendered Restrooms and minority Stress: The Public Regulation of Gender and its Impact on Transgender People's Lives*, *Journal of Public Management and Social Policy*, June 2013, <http://williamsinstitute.law.ucla.edu/research/transgender-issues/herman-jpmss-june-2013/>—it is a reasonable to worry that *any* victim of a crime that takes place in a public accommodations facility will now worry that by reporting such a crime, he or she will become a focus of public attention, including media scrutiny, based on the new law and subsequent controversy it has generated. In turn, such fears could undermine the ability of the police to pursue/investigate these crimes.

Conclusion

43. In sum, it is my conclusion that HB2 serves no legitimate law enforcement purpose and will not address or resolve any actual public safety concerns that police deal with on a regular basis.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on this 16 day of September, 2016

By: 
Chris Magnus

EXHIBIT 1

Chief Chris Magnus CV

Christopher J. Magnus
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Education

Senior Executives in State and Local Government Program, JFK School of Government, Harvard University, Cambridge, MA (June 2002)

Master's Degree--Labor Relations, Michigan State University, East Lansing, MI (1990)

- Concentrated on public-sector collective bargaining, labor law, grievance handling and arbitration, EEO, and employee participation programs

Bachelor's Degree—Criminal Justice, Michigan State University, East Lansing, MI (1986)

Associate's Degree—Business/EMS, Lansing Community College, Lansing, MI (1982)

- Paramedic (AEMT) certification and licensure

Employment

Chief of Police, Tucson Police Department, Tucson, AZ (pop. 600,000), Jan. 2016 to present

- *1,300 personnel; \$162m budget*
- Projects underway:
 - Ongoing development of comprehensive mental health crisis response program, including specialized Mental Health Investigative Services Team (MHIST) that proactively engages with and provides support to highest risk individuals in crisis; 70% of patrol officers Crisis Intervention Trained (CIT)
 - Selected as model city by the White House for the implementation of the recommendations made by the President's 21st Century Policing Task Force
 - Program for ongoing analysis and evaluation of police use of force, including a component for engaging community in this process
 - Implementation of a "Real Time Crime Center" to analyze and share information related to real-time calls for service, providing responding officers with the best and most comprehensive intelligence as well as other data to improve the safety and quality of their response

Chief of Police, Richmond Police Department, Richmond, CA (pop. 115,000), 2006 to 2016

- *320 personnel; \$75m budget*
- Significant accomplishments and projects:
 - Implemented a geographic based community-policing model for providing patrol, neighborhood problem-solving, and other services;
 - Established COMPSTAT model for tracking, analyzing, and reducing crime;
 - ***Homicides down from 49 in 2007 to 11 in 2014***

- Implemented a series of programs, activities, and community outreach efforts that have helped steadily and significantly decreased Part I crime in Richmond over the past ten years, including CCTV, ShotSpotter, and Crime Free Housing;
- Implemented an innovative and progressive model for use of force instruction;
- Partnered with multiple community groups to implement a *Ceasefire* gang-reduction program;
- Assured all personnel are trained in “Unconscious Bias” and procedural justice;
- Worked with community partners, including Contra Costa County Probation and the RYSE Youth Center to develop a juvenile diversion program;
- Worked with Community Violence Solutions, STAND!, Bay Area Legal Aid, Zero Tolerance, and the Contra Costa Co. District Attorney’s Office to establish a Family Justice Center to better serve victims of domestic violence and sexual assault through a “one-stop” services center;
- Established a “Daytime Curfew” ordinance and program for Richmond to reduce the number of young people out on the streets during school hours
 - *Recidivism under 10% since 2012*
- Retention rate for RPD officers is over 97%* (*excludes service/disability retirements);
- Established Critical Incident Stress Debriefing/Peer Support program for employees;
- Implemented a “Ranger Program” of entry-level workers to serve as ambassadors on the Richmond Greenway, Bay Trail, and in area parks;
- Obtained federal grants for over 15 new officers; domestic homicide violence reduction initiative; as well as multiple state grants for projects/activities that include gang reduction efforts, DUI enforcement, marine (boat) patrol, and more;
- Serves as “Acting City Manager” when the City Manager is out of town or unavailable.

Chief of Police, Fargo Police Department, Fargo, ND (pop. 97,000, metro: 175,000), 1999 to 2005

- *150 personnel; \$11m budget*
- Significant accomplishments and projects:
 - Developed the first-in-the-nation two-state regional public safety dispatch center serving Fargo, Moorhead (Minnesota), Cass Co. (ND), and Clay Co. (MN);
 - Implemented a regional Police Training Academy through a collaborative effort between Fargo P.D. and Lakes Region State University;
 - Helped establish and served on the Board of Directors for the Red River Children’s Advocacy Center--a non-profit collaborative providing a team approach to investigating, treating, and facilitating the prosecution of child abuse in a child-friendly environment;
 - Collaborated with the Fargo-Cass Health Department and other community groups to implement a comprehensive program of alcohol compliance checks, server-training, and other prevention programs to decrease underage drinking;
 - Named “*2005 Law Enforcement Officer of the Year*” by Mothers Against Drunk Driving (national award).
 - Implemented a community-based drug education symposium, “*A Community Toolbox to Fight Meth*” that attracted over 4,000 resident participants;
 - Initiated a School Resource Officer (SRO) program which assigns an officer to each public school in Fargo; the department also maintains DARE & Explorer programs;
 - Created the department’s Peer Assistance Counseling Team (“PACT”) for employee critical incident stress debriefing and peer counseling;
 - Started the department’s “*Tele Award*”-winning public affairs TV show, “*Behind the Badge*”, which is aired quarterly on a local network and cable-access channel;

- Developed a community sex-offender classification and notification process; implemented a process for officers to do regular checks on sex offenders;
- Established a “Downtown Beat Officer” unit which heavily utilizes foot patrol and works with area social service providers to take a “case management” approach to interacting with transients, chronic alcoholics, and the mentally ill;
- Assisted the Mayor in establishing the City’s Human Relations Commission;
- Initiated diversity and hate crimes training for all personnel and mandated departmental hate crimes data collection

Captain (+ other ranks), Lansing Police Department, Lansing, MI (pop. 130,000), 1985 to 1999

- 370 personnel
- Significant accomplishments and projects:
 - Coordinated the department’s Field Training Officer (FTO) Program;
 - Established “COPPER”—*Coordinated Problem Property Response Team*—which was very successful in dealing with neighborhood problems, drug houses, and other problem properties utilizing community oriented policing techniques;
 - Created a Police Cadet Program to recruit a diverse group of 17-21 year-olds;
 - Oversaw \$700,000 jail construction/renovation project; managed the jail for 2 years;
 - Implemented quarterly Citizen Satisfaction surveys;
 - Produced the department’s TV show, “*Join the Team*”;
 - Developed an Employee Handbook which included procedures/training materials

Other Employment

- Expert on best policing practices for the U.S. Department of Justice Civil Rights Division 2014-present
 - Ferguson, MO Pattern and Practice investigation
 - Seattle, WA Consent Decree monitor
 - Baltimore, MD Pattern and Practice investigation
 - Chicago, IL Pattern and Practice Investigation
- Expert on best policing practices for the U.S. Department of Justice COPS Office 2013 to present
- Part-time Faculty, North Dakota State University, Fargo, ND, 2000
 - Taught a Police Administration class within the Sociology Department
- Part-time Faculty, Lansing Community College, Lansing, MI, 1994-99 and 1983-86
 - Police Academy instructor; EMS Programs instructor-coordinator
- Deputy Sheriff, Livingston County Sheriff’s Department, Howell, MI, 1983-85
- Paramedic, Hayes Green Beach Hospital/Charlotte-Area EMS, Charlotte, MI, 1981-89
- Dispatcher, Ingham Co. Central Dispatch—Lansing Police Department, Lansing, MI, 1979-81

Offices Held, Appointments, Professional and Civic Affiliations

- Board Member, Police Executive Research Forum (PERF), 2015 to present
- Member, Contra Costa County Police Chiefs Association, 2006 to 2016
- Member (and past President), West Contra County Police Chiefs Assoc., 2006 to 2016
- Board President/Board Member, Child Advocacy Centers of California, 2009 to 2016
- Board Member, West Contra Costa County Family Justice Center, Richmond, CA, 2009 to 2014

- Executive Board Member, Contra Costa County Community Corrections Partnership, 2012 to 2014
- Board Member, Contra Costa County “Zero Tolerance” for Domestic Violence Core Project Team, 2006 to 2016
- Board Member, Richmond Police Activities League, Richmond, CA, 2006 to 2016
- Sponsor, Richmond Little League (Girls Softball Team), Richmond, CA, 2012 to 2016
- Board President, Red River Regional Dispatch Center, Fargo, ND, 2001 to 2005
- Member, City of Fargo Liquor Control Commission, Fargo, ND, 1999 to 2005
- Board of Directors, Red River Children’s Advocacy Center, Fargo, ND, 2004 to 2005
- Board of Directors, Big Brothers/Big Sisters, Fargo, ND, 2001 to 2005
- Board of Directors, Cultural Diversity Resources of Fargo-Moorhead, 2005
- Member, United Way of Cass-Clay Community Building Comm., Fargo, ND, 2001
- Member, International Association of Chiefs of Police (IACP), 1999 to present
- Appointed to IACP’s National Traffic Safety Advisory Committee, 2005
- Board of Directors, Lansing Police Athletic League, Inc., Lansing, MI 1992-95
- Executive Board Member, Michigan Law Enforcement Torch Run to Benefit Special Olympics, Mt. Pleasant, MI, 1995-98
- President, Lansing Fraternal Order of Police, Lodge 141, Lansing, MI, 1990-92